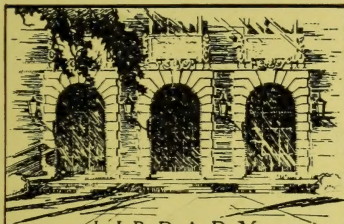


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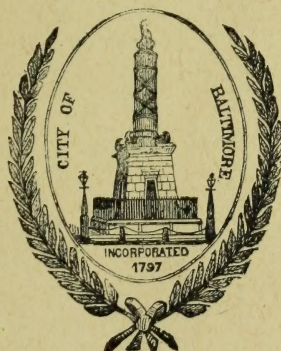








JOURNAL OF PROCEEDINGS  
OF THE  
First Branch City Council  
OF BALTIMORE,  
AT THE  
SESSIONS OF 1870-'71.



BALTIMORE:  
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# JOURNAL.

## FIRST BRANCH.

Monday, November 7, 1870.

This being the day under the Act of the Legislature of Maryland, of 1868, chapter 451, on which the City Council of Baltimore are required to meet in Annual Session, the following named gentlemen, members elect, having first duly qualified before his Honor the Mayor, appeared in the First Branch Chamber and took their seats :

George W. Bishop, First Ward.  
Henry Weitzell, Second Ward.  
John R. Hudgins, Third Ward.  
Andrew C. Trippe, Fourth Ward.  
John M. Bruce, Fifth Ward.  
Alfred E. Smyrk, Sixth Ward.  
S. Sands Mills, Seventh Ward.  
Thos. P. Kernan, Eighth Ward.  
Owen Ward, Ninth Ward.  
John W. Torsch, Tenth Ward.  
G. Morris Bond, Eleventh Ward.  
Benjamin Price, Twelfth Ward.  
John F. Sommerlock, Thirteenth Ward.  
Jas. C. Randall, Fourteenth Ward.  
George R. Berry, Fifteenth Ward.  
Jacob A. Freeburger, Sixteenth Ward.  
Lewis Ehlers, Seventeenth Ward.  
Jos. G. Johnson, Eighteenth Ward.  
J. Harry Weaver, Nineteenth Ward.  
Hezekiah Crout, Twentieth Ward.

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On motion of Mr. Johnson, Mr. Mills was called to the Chair as temporary President for the purpose of effecting a permanent organization.

On motion of Mr. Johnson, a committee of three was appointed to examine and report on the credentials and eligibility of members elected.

The Chair appointed as such committee Messrs. Johnson, Kernan and Sommerlock.

The committee on credentials submitted the following report and resolution, which were read and adopted :

The committee on credentials of members of the First Branch of the City Council respectfully report that they have examined the credentials, and find that the following are duly qualified as members of the First Branch of the City Council of Baltimore :

George W. Bishop, First Ward.  
Henry Weitzell, Second Ward.  
John R. Hudgins, Third Ward.  
Andrew C. Trippe, Fourth Ward.  
John M. Bruce, Fifth Ward.  
Alfred E. Smyrk, Sixth Ward.  
S. Sands Mills, Seventh Ward.  
Thos. P. Kernan, Eighth Ward.  
Owen Ward, Ninth Ward.  
John W. Torsch, Tenth Ward.  
G. Morris Bond, Eleventh Ward.  
Benjamin Price, Twelfth Ward.  
John F. Sommerlock, Thirteenth Ward.  
James C. Randall, Fourteenth Ward.  
George R. Berry, Fifteenth Ward.  
Jacob H. Freeburger, Sixteenth Ward.  
Lewis Ehlers, Seventeenth Ward.  
Joseph G. Johnson, Eighteenth Ward.  
J. Harry Weaver, Nineteenth Ward.  
Hezekiah Crout, Twentieth Ward.

Signed on the part of the Branch by—

JOS. G. JOHNSON,  
THOS. P. KERNAN,  
JOHN F. SOMMERLOCK.



Resolved, That the committee be discharged from the further consideration of the subject.

The Branch then proceeded to the election of a permanent President.

Mr. Johnson nominated Geo. W. Bishop, Esq.

On motion of Mr. Johnson, the ballot was dispensed with, and Mr. Bishop was unanimously declared elected.

The Chair named as a committee to escort the President to the chair Messrs. Johnson and Smyrk.

The President, upon taking the chair, delivered the following address, which was ordered to be spread upon the Journal:

*Gentlemen of the First Branch of the City Council:*

In assuming the position of presiding officer of this body, you will allow me to return my thanks for the honor conferred, and I will assure you, gentlemen, that all my abilities and energy will be applied to discharge the important duties of the position without fear, favor, or partiality.

Gentlemen, the position we occupy devolves upon us the great responsibility to legislate for our city. Let us then carefully consider all measures that may be introduced for our action, and inquire whether or not they will promote the general good; and let our aim be to keep down the taxes, so that our merchants, mechanics, and manufacturers may be encouraged in their efforts to add to the general prosperity of our city.

Everywhere are the evidences of what our city is destined to be in a manufacturing and commercial point of view. Let us pause for a moment and consider the great improvements now going forward.

Early in the coming year the Pittsburg and Connellsville

Railroad will be open to Cumberland, and will add another great feeder to the Baltimore and Ohio Road, pouring annually hundreds of thousands of dollars worth of the products of that region of country into the lap of our city ; and with the contemplated Valley Railroad finished, another link will be added to the Baltimore and Ohio Road, which, with its western connections and its communication with Europe by line of steamships, will remain the great artery through which trade and traffic will come to us. This we can all realize at once.

The work of grading and laying the rails of the Baltimore and Potomac Railroad has been going on for some time, and this road when completed will add to our trade and general prosperity.

The work on the Western Maryland Railroad is being pushed forward as rapidly as possible, and soon we will have another road leading into our city and penetrating the western counties of our State, bringing to our doors their rich products.

Work on the Union Railroad has been commenced and it is expected that it will be finished in the spring of 1872, giving to the roads leading into our city a continuous line of road to tide-water at Canton ; and with the improvements to be made by the Canton Company, will make that section of our city the great depot for the mineral products of our own State and that of Pennsylvania.

The Northern Central is rapidly pushing forward their improvements, which, with their new line into the city, will, when completed, add much to our trade and prosperity.

We hope soon to learn that the Maryland Central has been commenced, which will open to us another route to Philadelphia and the North.

And other great improvements are going forward in our midst, among them "The People's Gas Light Company," and the "Citizens' Passenger Railroad Company. The Bal-



timore City Passenger Railroad Company have extended their lines, and during the year 1869 carried eleven millions of passengers and traveled one million seven hundred thousand miles, showing conclusively that our citizens will encourage all enterprises having for their object the public good.

Gentlemen, in calling your attention to these facts I do it that we may all feel our responsibility and so legislate that we may encourage all corporations, merchants, mechanics, and manufacturers, and that other capital and enterprise may see our advantages, and be induced to engage in great undertakings and improvements, thereby giving employment to thousands of our citizens.

Let us then, gentlemen, apply ourselves to the great work that we have in hand, and legislate wisely, so that all of our acts may tend to encourage our citizens and promote the welfare of all, in order that at the close of our official labors we may have performed our duties to the best of our abilities and receive the approval of our fellow-citizens.

Thanking you again, gentlemen, for the honor conferred, let me indulge the hope that nothing may occur to mar our pleasant relations.

Mr. Johnson offered the following resolutions, which were read and adopted :

Resolved by the First Branch City Council of Baltimore, That the per diem of the Chief Clerk be six dollars per day during the session, and three dollars per day during recess, and that the indexing of the Journal be done by him without extra compensation.

Resolved further, That the per diem of the Assistant Clerk be five dollars per day during session, and two dollars per day during recess.

And resolved further, That the per diem of the Doorkeeper be four dollars per day during session, and two dollars per day during recess.

The Branch then proceeded to the election of a Chief Clerk.

Mr. Torsch nominated Dr. W. H. Cole.

On motion of Mr. Johnson, the ballot was dispensed with and Dr. W. H. Cole declared the unanimous choice of the Branch as Chief Clerk.

On motion of Mr. Trippe, the Branch proceeded to the election of Reading Clerk.

Mr. Trippe nominated Arthur V. Milholland.

On motion of Mr. Berry, the ballot was dispensed with and Arthur V. Milholland declared the unanimous choice of the Branch as Reading Clerk.

The Branch then proceeded to the election of a Sergeant-at-Arms.

Mr. Sommerlock nominated Richard Lilly.

On motion of Mr. Berry, the ballot was dispensed with and Richard Lilly declared the unanimous choice of the Branch.

Mr. Randall offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the services of Master Joseph E. Hogan be accepted during the session of the present Council.

A committee of the Second Branch appeared at the bar of the Branch and stated they were ready to receive any communication from this body.

Mr. Mills offered the following resolution, which was read and adopted :



Resolved by the First Branch of the City Council, That the City Register be, and he is hereby directed to pay to the Chief Clerk and Sergeant-at-Arms of the last Council each one day's per diem for their services in assisting the organization of the Branch.

Mr. Trippe offered a message to the Second Branch, proposing the appointment of a joint special committee of three from each Branch, to await on his Honor the Mayor and to ask if he had any communication to make to the Council.

The Chair appointed Messrs. Bond, Price and Smyrk.

Mr. Trippe offered a message to the Second Branch, proposing that the hour for the daily meeting of the Council be 5 o'clock.

Mr. Trippe moved that the Rules of Order governing the last Council be adopted for the government of this.

Mr. Johnson moved as a substitute that a committee of three be appointed to prepare rules.

Motion lost and substitute adopted.

The Chair appointed the following as a committee—Messrs Johnson, Trippe and Price.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, November 7, 1870.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition to appoint a joint special committee of three from each Branch to await on his Honor the Mayor, &c., and name on the part of this Branch—Messrs. McCoy, Ogle, and Vickery.

By order,

GEO. T. BEALL, Jr., *Clerk.*

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, November 7, 1870.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition, that the hour of meeting of the Council shall be 5 o'clock P. M.

By order,

GEO. T. BEALL, Jr., *Clerk.*

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, November 7, 1870.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourns this evening it stand adjourned until Monday evening next, 14th inst., at 5 o'clock.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

On motion of Mr. Trippe, the Branch concurred.

On motion of Mr. Johnson, the Branch took a recess of ten minutes.

Business being resumed, Mr. Bond from the committee appointed to wait upon his Honor the Mayor, informed the Branch that his Honor had no communication to make at this time.

On motion of Mr. Trippe, the Branch adjourned until Monday afternoon next, November 14, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Monday, November 14, 1870.

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The Branch met pursuant to adjournment.

Present, GEO. W. BISHOP, Esq., President, and all the members except Messrs. Kernan and Ward.

The President announced the following Joint Standing and Joint Select Committees :

JOINT STANDING COMMITTEES.

*Ways and Means*—Messrs. Andrew C. Trippe, Benjamin Price, and Hezekiah Crout.

*Bridges*—Messrs. Thomas P. Kernan, John R. Hudgins, and John F. Sommerlock.

*Water*—Messrs. G. Morris Bond, Lewis Ehlers, and John M. Bruce.

*Claims*—Messrs. Benjamin Price, Jacob H. Freeburger, and Hezekiah Crout.

*Highways*—Messrs. S. Sands Mills, John W. Torsch, and G. Morris Bond.

*Commerce*—Messrs. George R. Berry, Owen Ward, and Henry Weitzell.

*Harbor*—Messrs. Joseph G. Johnson, Alfred E. Smyrk, and James C. Randall.

*Health*—Messrs. G. Morris Bond, Joseph G. Johnson, and J. Harry Weaver.

*City Property*—Messrs. James C. Randall, John F. Sommerlock, and Jacob H. Freeburger.

*Markets*—Messrs. John W. Torsch, Thomas P. Kernan, and G. Morris Bond.

*Education*—Messrs. Hezekiah Crout, Benjamin Price, and A. C. Trippe.

*McDonogh Bequest*—Messrs. Alfred E. Smyrk, Lewis Ehlers, and Owen Ward.

*House of Refuge*—Messrs. John M. Bruce, George R. Berry, and John R. Hudgins.

*Internal Improvements*—Messrs. Henry Weitzell, Lewis Ehlers, and John F. Sommerlock.

*Fire Department*—Messrs. S. Sands Mills, John W. Torsch, and James C. Randall.

*Parks*—Messrs. Jacob H. Freeburger, Henry Weitzell, and Joseph G. Johnson.

*Police and Jail*—Messrs. J. Harry Weaver, S. Sands Mills, and Thomas P. Kernan.

*City Passenger Railway*—Messrs. Owen Ward, J. Harry Weaver, and John W. Torsch.

*Almshouse*—Messrs. John F. Sommerlock, Geo. R. Berry, and John R. Hudgins.

*Enrollment*—Messrs. Benjamin Price and G. Morris Bond.

#### JOINT SELECT COMMITTEES.

*Register's Office and Accounts*—Messrs. Benjamin Price, Andrew C. Trippe, and Hezekiah Crout.

*Commissioners of Public Schools Accounts*—Messrs. Lewis Ehlers, John M. Bruce, and Alfred E. Smyrk.

*Commissioners of Finance Accounts*—Messrs. John R. Hudgins, J. Harry Weaver, and Jacob H. Freeburger.

*Comptroller's Accounts*—Messrs. John F. Sommerlock, John M. Bruce, and Owen Ward.

*City Commissioner's and Port Warden's Accounts*—Messrs. Andrew C. Trippe, Alfred E. Smyrk, and Jos. G. Johnson.

*Board of Water Commissioners' Accounts*—Messrs. Lewis Ehlers, G. Morris Bond, and Henry Weitzell.

*Health Commissioner's Accounts*—Messrs. Joseph G. Johnson, James C. Randall, and Thomas P. Kernan.

*Commissioners of Fire Department Accounts*—Messrs. James C. Randall, John W. Torsch, and S. Sands Mills.

Mr. Bond presented a petition from Dr. A. C. Robinson, asking permission to dig a well on rear of his premises on Wine alley, which was read and referred to the Joint Standing Committee on Water.

Mr. Johnson presented a petition from W. H. Leman for compensation as watchman on city steam dredge, which was read and referred to the Joint Standing Committee on Claims.

Mr. Crout presented a petition from the vestry of St. Peter's Protestant Episcopal Church for the placing of four feet flagging at the crossings corner of Druid Hill avenue and Lanvale street.

Also, for placing six feet flagging for crossing Druid Hill avenue opposite the church, which were read and referred to the Joint Standing Committee on Highways.

Mr. Mills presented a petition from Charles H. Mercer for a change of grade of Eager street, between Broadway and Ann street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Trippe presented a petition from the Board of Visitors of Baltimore City Jail, asking an extra appropriation



of \$7,000, which was read and referred to the Joint Standing Committee on Police and Jail.

Mr. Trippe presented an additional supplement to ordinance No. 70 of 1868, approved July 9, 1868, granting privilege of laying tracks on certain streets to the Citizens' Passenger Railway Company, which was read and referred to the Joint Standing Committee on City Passenger Railway.

Mr. Ehlers offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have the fencing around Eutaw Place removed, and to have the same placed around Battery Square, the expense therefor to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Col. Robertson, Secretary, appeared at the bar of the Branch with a sealed communication from his Honor the Mayor.

On motion of Mr. Johnson, a committee of two was appointed to invite the Second Branch in convention on the said sealed communication.

The Chair appointed as such committee Messrs. Johnson and Price.

The two Branches then went into convention, and after remaining therein for some time the members of the Second Branch returned to their chamber.

Business being resumed, the President presented a petition from Wm. G. Harrison, President of the Union Railroad Company, asking change of grade of Belair avenue, where that road crosses it, five feet, which was read and referred to the Joint Standing Committee on Highways.

On motion of Mr. Johnson, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Tuesday, November 15, 1870.

---

The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Ward presented the petition of Fredk. Knapp for relief of payment of assessment for benefit on property on Holliday street, for the opening of Lexington street, which was read and referred to the Joint Standing Committee on Claims.

Mr. Weitzell introduced the following ordinance, which was read :

An ordinance to repeal section 14 of the Baltimore City Code, (1869) title "Ordinance," sub-title "City Council," and to re-enact the same with amendments.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That section 14 of the Baltimore City Code (1869) title "Ordinances," sub-title "City Council," be and the same is hereby repealed.

SEC. 2. Be it further enacted and ordained, That the members of the City Council shall severally receive five dollars as a compensation for each day's attendance.

SEC. 3. Be it further enacted and ordained, That this ordinance take effect from the date of its passage.

On motion of Mr. Trippe, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the Chief Clerk of the First Branch be directed to withdraw from the files of the City Register's office the papers submitted to the last Council in relation to the extension of the Port Warden's line, between Burk and Cannon streets, petitioned for by the Abbott Iron Company.

Mr. Kernan offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Clerk of this Branch be, and he is hereby directed to procure from the office of the City Register the papers relating to the indexing of certain streets, which was laid over from the last Council.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby authorized and directed to have a gas main laid along Read street, from Calvert street to Hargrove alley.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Randall offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That the Clerk of the Branch be authorized to withdraw from the files in the Register's office the ordinance entitled "An ordinance to repeal and re-enact section 91 of Article 43 of the Baltimore City Code," and which, by action of the last, was referred to the present Council.

Mr. Randall offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore,



That the City Comptroller and Register be, and they are hereby authorized and directed to pay to Charles P. Kahler, City Surveyor, the amount due him by the several departments of the city, when he shall present proper certificates from said departments that he has completed whatever surveys ordered by them, and that they have been returned as finished to their respective departments.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Weaver offered the following resolution, which was read and referred to the Joint Standing Committee on Police and Jail :

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby granted to Jno. Meeth to erect a brick hiring and livery stable on his property, situated northeast corner of Republican street and an alley called Lorman alley, between Lexington and Saratoga streets; provided the same be built in conformity to the ordinance or ordinances relating thereto.

Mr. Crout offered the following resolution, which was read and adopted :

Whereas, a large number of valuable improvements have been made in northwest Baltimore, and as yet the water supply for that section is inadequate and in portions of it no supply whatever; therefore,

Be it resolved by the First Branch City Council of Baltimore, That the Water Commissioners be requested, at their earliest convenience, to inform the Council what measures they propose and design to supply those portions of the city above an altitude of 200 feet high with water; what legislation, if any, is necessary; when and at what time the entire city can be served equally with a proper supply of water for house use and protection against fire; and with what aid, if any, from the city, and such other information as they may deem of importance concerning the water supply.

Mr. Crout offered the following resolution, which was read:

Whereas, Perkins's Spring, at the corner of George and Chatsworth streets, is now without a cover, and as the same is greatly needed to keep the spring in a condition so as to be approached during inclement weather; therefore,

Be it resolved by the Mayor and City Council of Baltimore, That the City Commissioner be requested to put such a cover over the same as in his judgment will be necessary to keep the spring in an approachable condition, and that the sum of three hundred and fifty dollars be appropriated for the same, to be taken out of the city treasury of any money not otherwise appropriated.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Wednesday, November 16, 1870.

---

The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

A communication was received from Chas. W. Bentley, chairman, inviting the members of the Branch to attend the reopening of the Night School of Design, at the Maryland Institute, on Friday evening next, November 18th, which was read, and, on motion of Mr. Johnson, accepted.

The President presented the following communication, which was read :

OFFICE OF THE BOARD OF SCHOOL COMMISSIONERS,  
Baltimore, November 16, 1870.

*To the Honorable the President and*

*Members First Branch of the City Council :*

GENTLEMEN: At a meeting of this Board held on the 1st instant, a committee, to whom the matter had been previously referred, made a report recommending the purchase of the property known as "Winans' Chapel," for the accommodation of Male and Female Colored Schools, No. 7.

The owner of said property proposes to sell it for \$6,666.66, and to create a ground rent on the entire amount at six per cent., being \$400 per annum, thus requiring no appropriation to effect the purchase.

The following resolution was unanimously adopted :

Resolved, That the committee of conference of this Board confer with the City Council at the earliest opportunity, and urge the purchase of the property herein described.

Respectfully submitted by request of committee of conference.

H. M. COWLES, Secretary.



On motion of Mr. Crout, the communication was referred to the Joint Standing Committee on Education.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby authorized and directed to so construct the North avenue bridge that the water main, now in the bed of Jones' Falls, can be placed thereon, as indicated in the communication of the City Commissioner under date of September 19, 1870, to the City Council, at its late session ; and that the sum of \$12,500, or so much thereof as may be necessary, be and the same is hereby appropriated for the same, to be taken out of the levy of 1871.

On motion of Mr. Bond, the resolution was read a second time, by special order, and

On motion of Mr. Trippe, referred to the Joint Standing Committee on Water.

Mr. Berry offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the City Commissioner be requested to inform this Branch why Hanover street, from West street to the Spring Gardens, has not been graded and paved, as directed by ordinance of the Mayor and City Council of Baltimore, passed several years ago.

Mr. Berry introduced an ordinance entitled "An ordinance to provide for the paving of Charles and Warner streets, from West street south to the Spring Gardens."

Mr. Johnson proposed that a message be sent to the Second Branch appointing a Joint Standing Committee of three from each Branch on the subject of Jones' Falls, which was adopted.

The Chair named as the committee on the part of this Branch—Messrs. Johnson, Trippe and Ward.

Mr. Weaver, from the Joint Standing Committee on Police and Jail, submitted the following report and resolution, which were read :

The Joint Standing Committee on Police and Jail, to whom was referred the memorial of Mr. W. H. Perkins, President of the Board of Visitors to the Baltimore City Jail, asking for an additional appropriation of seven thousand dollars (\$7,000) for the purpose of paying the expenses of the institution for the remainder of the year, respectfully report that they have given the memorial a careful consideration, and your committee are of the opinion that the appropriation is a necessary one, and should be made; they therefore recommend the adoption of the following resolution :

J. H. WEAVER,  
THOS. P. KERNAN,  
*First Branch.*

JOHN MILROY,  
A. W. DUKE,  
WM. H. VICKERY,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the sum of seven thousand dollars (\$7,000), or so much thereof as may be necessary, be, and the same is hereby, appropriated to the Baltimore City Jail, for the purpose of paying the expenses of the same for the remainder of the year 1870, said sum of seven thousand dollars (\$7,000) to be taken out of any money in the Treasury not otherwise appropriated.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Whereas, it has been publicly announced in our daily papers that the United States Marshal for Maryland has completed the census for Baltimore city, and has returned a population of only 267,000 inhabitants ;

And whereas, by a census taken two years since by the municipal authorities, the population was found to be over 352,000 inhabitants, thus clearly showing the great inaccuracy of the recent census taken by the United States Marshal ;

And whereas, it seems to be the desire of our whole community, irrespective of their political sentiments, that a just and proper census should be taken, in order that our commercial and manufacturing importance should be maintained, &c.; therefore, be it

Resolved by the Mayor and City Council of Baltimore, That the Honorable Board of Police Commissioners be respectfully requested, at the earliest possible moment, to take the census of our city, in the manner and form they may deem most expedient.

Resolved, further, that all the papers in the hands of municipal officers, regarding the census returns of 1868, be turned over to the Police Board, in order to facilitate them in the discharge of their duties.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

The President announced that he had received from Jno. M. Carter, Esq., chairman, complimentary tickets for the lecture season of 1870-71 of the Maryland Institute.

The following resolution was received from the Second Branch and read :

Whereas, Our fellow-townsmen, Mr. Thomas Winans, has returned to Baltimore after an absence of nearly nine years abroad ; and—



Whereas, In view of his active enterprise in various channels, his many great and unostentatious charities dispensed in our midst, and the vast number of worthy mechanics and others to whom he has afforded employment, we regard him as one of our most useful and honored citizens, who has contributed very largely to the advancement of the general prosperity and happiness of our whole population ; therefore be it—

Resolved by the Mayor and City Council of Baltimore, That we hereby extend to Mr. Thomas Winans a cordial welcome, and express to him the great regard and respect the citizens of Baltimore entertain towards him, and further, that we earnestly hope that Mr. Winans may find it to his interest and congenial to his health and happiness to make Baltimore his permanent abode.

Resolved, That this preamble and resolutions be properly engrossed, and that a committee of three from each Branch of the Council be appointed to wait upon Mr. Thomas Winans and present them to him.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

The Chair named as the committee on the part of this Branch—Messrs. Price, Sommerlock, and Randall.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby instructed to raise the gutter at the intersection of Pennsylvania avenue and Oxford street, as in his judgment may be necessary and proper, and cover the said gutter with iron plates, and to alter the paving of the street to correspond with said improvement; the cost of the aforesaid work to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

Mr. Trippe, proposed that a message be sent to the Second Branch, proposing that when the Council adjourns on Tuesday evening next, it stand adjourned until the third Monday in January, 1871, which was adopted.

The following resolutions were returned by the Second Branch, severally endorsed "adopted:"

Resolution in favor of Charles P. Kahler, City Surveyor.

Resolution to lay gas main on Read street.

Resolution to remove the fence around Eutaw Place.

Resolution appropriating seven thousand dollars for the Baltimore City Jail.

The Second Branch returned the ordinance increasing the per diem of members of the Council, endorsed "passed."

The following message was received from the Second Branch :

IN SECOND BRANCH,  
Baltimore, November 16, 1870.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition to appoint a Joint Standing Committee on Jones' Falls, and name on the part of this Branch Messrs. Duke, McCoy, and Ogle.

By order,

GEO. T. BEALL, Jr., *Clerk.*

Mr. Torsch offered the following resolution, which was read :

Resolved by both Branches of the City Council of Baltimore, That the various joint standing and special committees be directed to give their attendance to their committee meetings and duties during all recesses of the Council.

On motion of Mr. Torsch, the resolution was read a second time, by special order.

The question being on the adoption of the resolution, the yeas and nays were demanded by Mr. Randall, resulting as follows :

*Yeas*.—Messrs. President, Weitzell, Kernan, Ward, Torsch, Bond, Sommerlock, Randall, Berry, Freeburger, Johnson, Weaver—12.

*Nays*.—Messrs. Hudgins, Trippe, Bruce, Smyrk, Mills, Price, Ehlers, Crout—8.

The motion was declared adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, November 16, 1870.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition, that when the Council adjourns on Tuesday evening next, it stand adjourned until the third Monday in January, 1871.

By order,

GEORGE T. BEALL, Jr., *Clerk*.

The Second Branch returned the resolution directing the various committees of the Council to sit during the recesses, endorsed "adopted."

On motion of Mr. Johnson, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk*.



Thursday, November 17, 1870.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Smyrk presented a petition from Thomas Gifford, Assessor of Real Estate, asking an increase of salary, which was read, and

On motion of Mr. Smyrk, referred to the Joint Standing Committee on Ways and Means.

Mr. Smyrk presented a petition from John A. Love, for permission to erect a frame kitchen at the rear of his dwelling No. 74 Broadway, which was read and referred to the Joint Standing Committee on the Fire Department.

Mr. Ward presented a petition from Frederick Knapp and others, for extension of time for payment of assessment for benefits for opening Lexington street, which was read and referred to the Joint Standing Committee on Claims.

Mr. Torsch presented a petition from Wm. T. Dixon and others, to place a fire alarm box on McMechin street, between Madison avenue and Eutaw street, which was read and referred to the Joint Standing Committee on the Fire Department.

Mr. Torsch presented a remonstrance from Emil Fisher and others, against the erection of a stable on Cowpen alley, which was read and referred to the Committee on Police and Jail.

Mr. Berry presented a petition from Charles Shipley, asking a change of pavement on Russell street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Weaver presented a petition from James Bowie and others, watchmen, asking for an increase of pay, which was read and referred to the Committee on Ways and Means.

Mr. Mills presented a petition from George M. Cuttle, asking to be refunded balance of money due him on a tax sale and for taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Weaver, from the Joint Standing Committee on Police and Jail, submitted the following report and resolution, which were read :

The Joint Standing Committee on Police and Jail, to whom was referred the resolution granting permission to John Meeth to erect a brick livery and hiring stable on his property, on the northeast corner of Republican street and Lorman alley, do most respectfully report, that they have examined the subject and find that the ordinances regulating the building of livery and hiring stables have been complied with, and no objections having been made to the erection of the same, recommend the adoption of the following resolution :

J. HARRY WEAVER,  
THOS. P. KERNAN,

*First Branch.*

JOHN MILROY,  
A. W. DUKE,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby granted to John Meeth to erect a brick livery and hiring stable on his property, situate on northeast corner of Republican street and Lorman alley, subject to all ordinances appertaining to livery and other stables.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Johnson, from the Special Committee on Rules, submitted the following report and resolution, which were read and adopted :

The Special Committee, to whom was referred the revision of the Rules of Order of this Branch, beg leave to report that they have carefully considered the subject and recommend the adoption of the present rules for the government of the Branch.

Signed on the part of this Branch by—

JOS. G. JOHNSON,  
BENJ. PRICE,  
A. C. TRIPPE,

Resolved that the committee be discharged from the further consideration of the subject.

Mr. Ward, from the Joint Standing Committee on City Passenger Railway, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on City Passenger Railway, to whom was referred an ordinance granting certain rights of way to the Citizens' Railway Company, respectfully report that the routes indicated by said ordinance, extending to the city limits in various directions, must necessarily greatly improve the value of property in those localities and afford greatly increased facilities of access to the business portions of the city.

Baltimore has long needed a railroad of the character contemplated by the ordinance, ramifying through its various sections and affording cheap locomotion for the citizens of every locality. In this matter, we have been far behind other cities of our own size, and indeed many towns of lesser magnitude.

Your committee, therefore, acknowledging unanimously the importance of the road to the development of the city and the convenience of its citizens, have, however, thought



proper to throw around the grant certain restrictions for the protection of the city's interest, which were not included in the ordinance as submitted to them.

One or two of the streets indicated have not as yet been opened for a short distance along the contemplated route, and although the franchise for a square or two would be of no earthly use to any other company, still your committee did not think it advisable to grant the right over them unless they were opened within the time limited for the completion of the road.

Your committee are further satisfied that there ought to be some limit of time commensurable with the city's interest and the magnitude of the undertaking within which the tracks ought to be laid. They are also aware that the present capital of the company is inadequate to the undertaking, and it will be necessary for them to apply to the next Legislature for its increase, and thus limiting the company to an unreasonably short space of time for doing the work would crush them at the outset.

Your committee have, therefore, in view of all the circumstances, set what they believe to be a reasonable limit within which the tracks are to be laid.

Your committee are aware that the original grants to this company are very limited and would be very unprofitable, and are assured that these additional rights will secure to them ample capital, and that the work so much desired will be begun at once.

They have, therefore, prepared an ordinance in accordance with these views and recommend its adoption.

OWEN WARD,  
J. HARRY WEAVER,  
JNO. W. TORSCH,  
*First Branch.*

H. McCOY,  
FREDERICK COOK,  
*Second Branch.*

Mr. Bond offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That the Joint Standing Committee on City Property be requested to ascertain upon what terms the Mayor and City Council of Baltimore can become the purchaser of the corporate interest of the Baltimore City Gas Company, and to report the same and the propriety of such purchase to this Council at as early a period as possible.

Mr. Ehlers offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of three hundred dollars be, and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, to pay for digging well and putting a pump in Battery Square.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Johnson introduced an ordinance entitled "An ordinance fixing the salary of the Clerk of the City Commissioner," which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Johnson offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That permission be, and is hereby granted to P. Greely to withdraw from the custody of the Council, a petition presented during the session of the last Council.

The President presented the following communication, covering a communication from the Commissioners of Baltimore county, as well as a petition of certain citizens, remonstrating against the erection of a livery stable on Republican street, near Saratoga, which were read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, Nov. 17, 1870.

*To the honorable the Members of the  
First and Second Branches of the City Council:*

GENTLEMEN: I have the honor to call attention to the enclosed petition of sundry citizens, adverse to the erection of a livery and hack stable on Republican street, near Saratoga.

I also desire to lay before you a communication from the Street Commissioners of Baltimore county, appointed by Act of the Legislature, 1870. Of the matter of which it treats, my opinion has heretofore been that Poppleton's Plat, the authorized and accepted guide in making streets, or in producing them to the limits of the city, would be the full and competent reference; but, upon consultation with more experienced persons relative to the subject, I am persuaded that it may be a reasonable matter of inquiry, whether or not an advisory commission, of one or more persons, should be appointed to look at the city's interest in this direction; and, in cases in which it might be obviously to the advantage both of the city and the county adjacent—at no distant day to become a part of the city—to depart from already established lines, in order to promote convenience or good taste, to report the fact to the city authorities.

Very respectfully,

ROBERT T. BANKS, *Mayor*.

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*Hon. Robert T. Banks, Mayor of Baltimore City:*

SIR: By virtue of the provisions of an Act of the General Assembly of Maryland, passed 1870, chapter 99, entitled "An Act to lay off streets in Baltimore county adjoining Baltimore city, &c.," the undersigned have been appointed Street Commissioners.

The importance of the work contemplated, and the mutual advantages that will result from it, to both the city and county of Baltimore is obvious.



In the discharge of our duties we find that only a portion of the streets adjacent to the limits of the city have been graded and paved, and we have no positive information as to the course that may be adopted by the authorities of your city in relation to the streets that have not been completed to and on the city limits.

Believing that the interest of both the city and county would be promoted by the prompt and faithful execution of the work contemplated, and that our labors would be facilitated by having some authorized person or persons with whom we could confer on behalf of the city of Baltimore, we have taken the liberty to address you upon the subject.

We hope that you will give the matter due consideration, and will take such action in the premises as in your judgment will be calculated to promote the interest of both the city and county of Baltimore in this important improvement.

Very respectfully, your obedient servants,

GEO. H. CARMAN,  
A. J. PARLETT,  
LEWIS LEHMAN.

OCTOBER 8, 1870.

On motion of Mr. Johnson, so much of said communication as referred to the matter contained in the communication of the County Commissioners was referred to the Joint Standing Committee on Highways.

Mr. Bond moved that the vote by which the resolution authorizing John Meeth to erect a brick livery stable on the east side of Republican street was adopted, be reconsidered.

The Branch refused to reconsider.

Mr. Mills offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Chief Clerk of the First Branch be directed to withdraw from the files of the City Register the papers relating to the widening of Light street wharf, which was referred to the Committee on Highways at the last session of said Council.

On motion of Mr. Randall, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Friday, November 18, 1870.

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The Branch met pursuant to adjournment.

Present, GEO. W. BISHOP, Esq., President, and all the members except Mr. Randall.

Mr. Torsch presented a petition from A. Goodman and others, to have a lamp placed on the corner of Kimmel alley and Clay street, which was read and referred to the City Commissioner.

Mr. Sommerlock presented a petition from the Judges and Clerks of Couris, to have Monument Square and Lexington street paved with the Nicholson pavement, which was read and referred to the Joint Standing Committee on Highways.

Mr. Berry asked leave to withdraw from the files of the Branch bill No. 1, entitled "An ordinance to provide for the paving of Charles and Warner streets, from West street south to Spring Gardens."

The permission asked for was granted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of F. Knapp and others, for an extension of time in making the payment of the benefits assessed upon them for the opening of Lexington street, have investigated the claims of the petitioners and recommend the adoption of the following resolution :

BENJ. PRICE,  
JACOB H. FREEBURGER,  
H. CROUT,  
*First Branch.*

HENRY DUVALL,  
FREDERICK COOK,  
CHAS. G. KERR,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That all the parties to whom benefits have been assessed in the opening of Lexington street, and who have as yet failed to pay the amount of said assessment of benefits to the city of Baltimore, be granted an extension of time in the payment of the assessment, and that said extension of time shall commence on and from the 22d day of October, 1870, and shall be fully completed and ended in twelve calendar months from that date.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and resolution, which were read :

The Joint Standing Committee on Water, to whom was referred the matter of so constructing the North avenue



bridge that the water main for the supply of East Baltimore might be placed thereon, beg leave to report that they have given the subject due consideration, and are impressed with the importance of so constructing the bridge in question that it may be used to support a pipe of sufficient size to supply the present and future water requirements of the eastern section of the city.

Your committee have also examined carefully the question of the expenditure necessary to put the bridge in a condition to support such a pipe, and after consultation with parties competent to advise them in the matter, believe that the work, if done in the manner it should be, will require the appropriation hereinafter recommended by them.

Your committee, therefore, offer the following resolution, and recommend its adoption :

G. MORRIS BOND,  
LEWIS EHLERS,  
JOHN M. BRUCE,

*First Branch.*

FREDERICK COOK,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby authorized and directed so to construct the North avenue bridge that the water main now in the bed of Jones' Falls can be safely placed thereon, as recommended in the communication of the City Commissioner under date of September 19, 1870, to the City Council at its late session, and that the sum of \$12,500, or so much thereof as may be necessary be, and the same is hereby appropriated for the purpose, said sum to be taken out of the levy for the year 1871.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, Nov. 18, 1870.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourns this evening, it stand adjourned until Monday afternoon next, at 5 o'clock P. M.

By order,

GEO. T. BFALL, Jr., *Clerk.*

The message was concurred in.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and resolution, which were read :

The Joint Standing Committee on Water, to whom was referred the petition of Dr. A. C. Robinson, asking permission to excavate a well in the alley between South Charles street and Light street, (called Wine alley) as a drain for a warehouse, respectfully report that they have duly examined the matter, and are of the opinion that the privilege asked should be granted ; they therefore recommend the adoption of the following resolution :

G. MORRIS BOND,

JOHN M. BRUCE,

LEWIS EHLERS,

*First Branch.*

FREDERICK COOK,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby granted to Dr. A. C. Robinson to excavate a well on Wine alley, between Charles and Light streets, the work to be done at the expense of said Robinson and under the supervision of the City Commissioner.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Col. Robertson, Secretary, appeared at the bar of the Branch with a sealed communication from his Honor the Mayor.

On motion of Mr. Johnson, a committee of two was appointed to invite the Second Branch into convention with the First on said sealed communication.

The Chair appointed as such committee Messrs. Johnson and Smyrk.

The two Branches then went into convention, and after remaining therein for some time the members of the Second Branch returned to their chamber.

Business being resumed, Mr. Kernan offered the resolution drawn from the Register's office by the Clerk of the Branch, in reference to placing signs on certain streets, which was read and referred to the Joint Standing Committee on City Property.

Mr. Berry introduced an ordinance entitled "An ordinance to provide for the grading and paving of Charles, Warner and Hanover streets, from West street south to the Spring Gardens, or so much thereof as lies within the limits of direct taxation," which was read.

Mr. Ehlers offered the following resolution, which was read, and on motion of Mr. Ehlers, referred to the Joint Standing Committee on Markets:

Resolved by the Mayor and City Council of Baltimore, That the sum of two thousand dollars, or so much thereof as may be required, be appropriated to furnish and complete the equipment of Cross Street Hall.

Mr. Johnson offered the following resolution, which was read, and on motion of Mr. Johnson, referred to the Joint Standing Committee on Ways and Means:



Resolved by the Mayor and City Council of Baltimore, That the Building Committee of the New City Hall be, and it is hereby authorized, at its discretion, to pay Martin A. Sisson & Co., contractors for the marble work on the New City Hall, monthly, as the work progresses, seventy-five per cent. of the value of the marble on the premises adjacent to the City Hall, which, though not set in the building, shall be worked out and in readiness to set in said building; which per centage shall be computed by the prices fixed for the marble work in the contract of said Martin A. Sisson & Co.; provided, however, that the said marble thus worked out and in readiness to be set in the building, shall be first approved of by the superintendent and architect of said building, and that all the expenses of the measurement of the marble thus to be paid for shall be borne by said Martin A. Sisson & Co.

And be it further resolved, That if the marble, which under the first resolution the said Building Committee is authorized to pay for, before it is put and set in the building, should, after such payment, become diminished in quantity or value, then the amount of such diminished value shall be deducted from the monthly bills that may be subsequently rendered by the contractors for the work finished and set in the building.

And be it further resolved, That if in the opinion of the law officer of the city, the payments authorized under the foregoing resolutions will vitiate or in any way impair the validity of the bond given by said contractors, then, and in that contingency, the payments authorized in the foregoing resolutions shall not be made until the sureties in said bond shall so signify their assent thereto, so that the validity of said bond shall not be affected or impaired by said payments; and before said Building Committee shall make any payments as authorized by the two preceding resolutions, the opinion in writing of said law officer upon the subject, shall be first obtained by said committee.

Mr. Johnson presented the petition of Patrick Greely for compensation as watchman on dredge, which was read and referred to the Joint Standing Committee on Claims.

Mr. Trippe called up ordinance known on the file as ordinance No. 2, entitled "An additional supplement to ordinance No. 70, of 1868, approved the ninth day of July, 1868," which was read.

On motion of Mr. Crout, the ordinance was made the special order of the day for Monday afternoon, November 21st, at 5½ o'clock.

On motion of Mr. Weitzell, the Branch adjourned until Monday afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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## Monday, November 21, 1870.

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The Branch met pursuant to adjournment.

Present, GEO. W. BISHOP, Esq., President, and all the members.

Mr. Mills presented a petition from Jacob Hook, asking damages for property on Harford avenue, injured by water flowing from the road, which was read and referred to the Joint Standing Committee on Claims.

The President presented the following communication, which was read and referred to the Joint Standing Committee on the Fire Department:

OFFICE OF THE FIRE INSPECTOR,  
*For the present, No. 20 W. Front Street,*  
Baltimore, November 21, 1870.

*The Honorable the Mayor and  
City Council of Baltimore:*

GENTLEMEN: From a bed of pain, prostrated by an accident at the fire on South Charles street yesterday morning, I send you this communication.

I respectfully present to your Honorable Body the recommendations which I had the honor to lay before the preceding Council, in which I urged the great necessity of some prompt action in regard to a reform in the building laws of our city.

Had the buildings on South Charles street (where the fire occurred) been erected in accordance with my suggestions, this communication would not have been written by an amanuensis, nor would the Fire Department be in mourning for the death of one of her brightest and most useful members, the late John B. Hays.

Respectfully submitted,

CHARLES T. HOLLOWAY,

Fire Inspector.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of the Union Railroad Company of Baltimore, praying for the passage of an ordinance enabling said Railroad Company, to so lower the grade of Belair avenue as to facilitate the construction of a bridge for the passage of the Union Railroad over said Belair avenue, and to occupy the beds of John and Wolfe streets, report the accompanying ordinance.

S. SANDS MILLS,  
G. MORRIS BOND,  
JNO. W. TORSCH,

*First Branch.*

JESSE R. OGLE,

*Second Branch.*

An ordinance to authorize the Union Railroad Company of Baltimore to lower the bed of Belair avenue, at the point where it will be crossed by the road of said Company, and to occupy the beds of John and Wolfe streets so far as may be necessary, upon providing other facilities for the public convenience.



SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Union Railroad Company of Baltimore is hereby authorized and empowered, in the construction of its railroad, to lower the bed of Belair avenue, at the point where it will be crossed by the said railroad, not more, however, than five and one-half feet below the present surface of the avenue at said point; said Railroad Company to defray every expense attending such change of grade, such as grading, paving, resetting, railroad track, &c.; also any damage arising to the property therefrom, and to construct a bridge over the said avenue, the bottom of which shall be not less than fifteen feet above such new grade of said avenue, for the passage of locomotives and cars being used upon the said railroad; provided that the signatures of two-thirds of the owners of the property on Belair avenue adjoining to the proposed change of grade be obtained.

SEC. 2. And be it further enacted and ordained, That the said Company be, and it is hereby, authorized and empowered, in the construction of its railroad, to occupy the beds of John and Wolfe streets, at their intersection, to such extent as may be necessary, and to construct its road upon the same with such grade as the convenience of the said Company may require; provided, however, that before the said Company shall make use of the same for the passage of its locomotives or cars, it shall provide convenient wagon ways for travel on both sides of its railway tracks, each not less than thirty-three feet in width, calculated from the nearest rail of the road of said Company.

SEC. 3. And be it further enacted and ordained, That the changes aforesaid shall be under the supervision of the City Commissioner, and in a manner to be approved by him.

On motion of Mr. Mills, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Highways, to whom was referred the petition of Charles H. Mercer, President, representing the McDonogh Place Company, asking the change of grade of Eager street, between Broadway and Ann street, beg leave to report that they have given the subject a personal examination, believe the prayer should be granted, and offer the following ordinance and ask its adoption.

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JESSE R. OGLE,

*Second Branch.*

An ordinance to alter the grade of Eager street, between Broadway and Ann street.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to change the grade of Eager street, between Broadway and Ann street, and to establish the new grade not more than twenty-eight (28) inches lower than the grade now fixed by law.

SEC. 2. And be it enacted and ordained, That all expenses incurred in making said change of grade be paid by Chas. H. Mercer, representing the McDonogh Place Company.

SEC. 3. And be it enacted and ordained, That all ordinances or parts of ordinances inconsistent with this ordinance be, and the same are hereby, repealed, and that this ordinance shall take effect from the day of its passage.

On motion of Mr. Mills, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on High-

ways, submitted the following report and ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Charles Shipley, asking the privilege to build within twelve feet of the present curb line on Russell street, beg to report that they have considered the subject and find the prayer should be granted, and ask the adoption of the subjoined ordinance :

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JESSE R. OGLE,

*Second Branch.*

An ordinance to authorize property holders on the east side of Russell street, between Hamburg and West streets, to build within twelve feet of the present curb line.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the owner or owners of the lots of ground on the easternmost side of Russell street, between Hamburg and West streets, be, and they are hereby permitted to build on said lot to within twelve feet of the face of the present curb line as now set.

SEC. 2. Be it enacted and ordained, That all acts, or parts of acts, inconsistent with this act, be, and the same are hereby repealed ; and this act shall take effect from the date of its passage.

On motion of Mr. Mills, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

The hour of 5½ o'clock having arrived, the order of the day being an ordinance entitled "An additional supplement



to ordinance No. 70, of 1868, approved the ninth day of July, 1868," was taken up for consideration.

Mr. Bond offered the following amendment, which was read :

In section 5, line 4, insert "within eighteen months."

The question being on the adoption of the amendment, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*.—Messrs. Bruce, Kernan, Bond, Sommerlock, Randall, Berry, Freeburger, Ehlers, Crout—9.

*Nays*.—Messrs. , President, Weitzell, Hudgins, Trippe, Smyrk, Mills, Ward, Torsch, Price, Johnson, Weaver—11.

The amendment was declared lost.

Mr. Kernan offered the following amendment, which was read :

In section 5, line 4, insert "two years," instead of "four years."

The question being on the adoption of the amendment, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas*—Messrs. Kernan, Bond, Sommerlock, Randall, Berry, Freeburger, Ehlers, Crout—8.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Johnson, Weaver—11.

The amendment was declared lost.

Mr. Bond offered the following, to come in as section 6 of the bill, which was read and rejected :

SEC. 6. And be it enacted and ordained, That nothing in this ordinance contained shall be construed so as to prohibit the Mayor and City Council from granting to any other company the right to use in common, with equal privileges, any portion or portions of the track laid down by the Citizens' Railway Company, under the provisions of this ordinance; nor from granting to any other company the right to lay down and use a track on such portion of the routes hereby granted, not exceeding eight squares in distance, as may not then have been occupied by the rails of said Citizens' Railway Company; provided, however, that if such grants shall be made, and such track laid down by any other company as aforesaid, the said Citizens' Railway Company shall also have the right to use the same in common, with equal privileges; and any company desiring to avail itself of the provisions of this section of the ordinance in the use of any such portion of road, shall first pay to the company originally constructing such portion of road, such just and equitable proportion of the cost thereof as may be determined by the Mayor and City Council under the circumstances.

On a motion by Mr. Crout to lay the ordinance on the table, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. Mills, Kernan, Bond, Sommerlock, Randall, Berry, Freeburger, Ehlers, Crout—9.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Johnson, Weaver—11.

The Branch refused to lay the ordinance on the table.

The question being on the passage of the ordinance, the yeas and nays were demanded by Mr. Ehlers, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Price, Randall, Johnson, Weaver—13.

*Nays*—Messrs. Kernan, Bond, Sommerlock, Berry, Freeburger, Ehlers, Crout—7.

The ordinance was declared passed and the title approved.

Mr. Weitzell offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Health Commissioner be requested to inform this Branch in relation to a resolution referred to his department by the last Council, concerning the cleaning of all that part of Central avenue commonly known as Harford run, lying between Eastern avenue and the Basin.

Mr. Ehlers introduced an ordinance entitled "An ordinance providing for the enlargement of the Cross Street Market-house," which was read and referred to the Joint Standing Committee on Markets.

Mr. Trippe introduced the following ordinance, which was read :

An ordinance to authorize and empower the Baltimore City Passenger Railway Company to lay double tracks of their railways from the corner of Baltimore and Eutaw streets to Camden Station.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Baltimore City Passenger Railway Company be, and they are hereby authorized and empowered to lay a double track of their railways on Eutaw and Camden streets from the corner of Baltimore and Eutaw streets to Camden Station.

SEC. 2. And be it further enacted and ordained, That the Baltimore City Passenger Railway Company, in the construction of the tracks authorized by this ordinance, and the running of their passenger cars thereon, shall in all respects be governed by, and subject to, the rules and regulations prescribed by the ordinances of the Mayor and City Council of Baltimore, under which the said Company were empowered to lay down and operate their present existing lines of railways ; provided said tracks shall not be laid



down on any streets on which the right to lay tracks has heretofore been granted to any other Company.

SEC. 3. And be it further enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Trippe, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills introduced an ordinance entitled "An ordinance to repeal and re-enact section 91, Article 43, of the Baltimore City Code, entitled 'Streets and City Commissioner,' " which was read and referred to the Joint Standing Committee on City Property.

Mr. Mills offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the petition of the vestry of St. Peter's Protestant Episcopal Church for the placing of flagging at the crossings leading to their church, be granted, and the same is hereby authorized, that is to say: Four-feet flagging at the crossings formed by the intersection of Druid Hill avenue and Lanvale street, and also six feet flagging on the crossing of Druid Hill avenue opposite the main entrance of the church, the same to be done by the City Commissioner, and the expense to be taken out of any money not otherwise appropriated, to be taken out of levy of 1871.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Ehlers, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Tuesday, November 22, 1870.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Mr. Trippe.

Mr. Price presented a remonstrance from G. Rosenstock, protesting against the opening of Eutaw street, formerly Gibson street, from Wilson street to North avenue, which was read and referred to the Joint Standing Committee on Highways.

Mr. Price, on behalf of Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the matter of fixing and ascertaining the salary of the Clerk to the City Commissioner, have considered the matter, and after due investigation have determined to report the following ordinance and recommend its passage :

ANDREW C. TRIPPE,  
BENJ. PRICE,  
H. CROUT,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,

*Second Branch.*

An ordinance entitled an ordinance to fix and establish the salary of the Clerk to the City Commissioner.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the salary of the Clerk to

the City Commissioner be fixed and established at the sum of fifteen hundred dollars per annum ; the same to be payable monthly.

SEC. 2. Be it enacted, That the provisions of the first section of this ordinance shall take effect, from and after the first day of January, eighteen hundred and seventy-one, and that all ordinances or parts of ordinances heretofore enacted and inconsistent herewith, are hereby repealed.

On motion of Mr. Price, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Price, on behalf of Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the petition of Thomas Gifford, Assessor of Real Estate for the City of Baltimore, have considered the application of the petitioner, and, after proper investigation, recommend the passage of the following ordinance :

A. C. TRIPPE,

BENJ. PRICE,

H. CROUT,

*First Branch.*

H. McCOY,

CHAS. G. KERR,

WM. H. VICKERY,

*Second Branch.*

An ordinance entitled an ordinance to fix and ascertain the salary of the Assessor of Real Estate for the City of Baltimore.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the salary of the Assessor of Real Estate for the City of Baltimore be fixed and ascertained at the sum of fourteen hundred dollars per annum.

SEC. 2. Be it enacted, That the provisions of the first section of this ordinance shall take effect from and after the first day of March, eighteen hundred and seventy-one, and that all ordinances or parts of ordinances heretofore enacted and ordained, and are inconsistent herewith are hereby repealed.

On motion of Mr. Johnson, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Price, on behalf of Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Ways and Means, to whom was referred the petition of James Bowie, janitor of the old Masonic Building, Wm H. Collins, watchman of the old Masonic Building, and Michael Murphy, watchman of the Court House, have considered the claims of the petitioners, and, after due consideration report the following Ordinance, and recommend its adoption.

ANDREW C. TRIPPE,  
BENJ. PRICE,  
H. CROUT,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,

*Second Branch.*

An ordinance entitled an ordinance to fix and establish the compensation of the janitor of the old Masonic Building, the watchman of the old Masonic Building, and the watchman of the Court House.



SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the compensation of the janitor of the old Masonic Building, the watchman of the old Masonic Building, and the watchman of the Court House, be fixed and established, each, at the sum of two dollars and fifty cents per diem, to take effect from and after the first day of January, eighteen hundred and seventy-one, and that all ordinances, or parts of ordinances heretofore enacted, and inconsistent herewith, are hereby repealed.

On motion of Mr. Price, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Price, on behalf of Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and resolutions, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the resolutions authorizing the Building Committee of the new City Hall, in their discretion to pay to Martin A. Sisson & Co., contractors for the marble work on the City Hall aforesaid, monthly, as the work progresses, seventy-five per cent. of the value of the marble on the premises adjacent to the building ; have given the subject a careful consideration and have agreed to report favorably upon said resolutions and recommend their adoption, and ask to be discharged from further consideration of the subject.

ANDREW C. TRIPPE,  
BENJ. PRICE,  
H. CROUT,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Building Committee of the new City Hall, be, and

it is hereby, authorized at its discretion to pay to Martin A. Sisson & Co., contractors for the marble work on the new City Hall, monthly, as the work progresses, seventy-five per cent. of the value of the marble on the premises adjacent to the City Hall, which, though not set in the building, shall be worked out and in readiness to set in said building, which per centage shall be computed by the prices fixed for the marble work in the contract of said Martin A. Sisson & Co. ; provided, however, that the said marble thus worked out and in readiness to be set in the building, shall be first approved of by the Superintendent and Architect of said building, and that all the expense of the measurement of the marble thus to be paid for, shall be borne by said Martin A. Sisson & Co.

And be it further resolved, That if the marble which under the first resolution the said Building Committee is authorized to pay for, before it is put and set in the building, should after such payment become diminished in quantity or value, then the amount of such diminished value shall be deducted from the monthly bills that may be subsequently rendered by the contractors, for the work finished and set in the building.

And be it further resolved, That if, in the opinion of the Law Officer of the city, the payments authorized under the foregoing resolution will vitiate or in any way impair the validity of the bond given by said contractors, then and in that contingency the payments authorized in the foregoing resolution shall not be made, until the surities on said bond shall so signify their assent thereto, so that the validity of said bond shall not be effected or impaired by said payments ; and before said Building Committee shall make any payment as authorized by the two previous resolutions, the opinion in writing of said Law Officer upon the subject shall be first obtained by said committee.

On motion of Mr. Bond, the resolutions were read a second time, by special order, and adopted.

Received from the Second Branch a report from the Joint Standing Committee on Highways, with ordinance annexed,

entitled "An ordinance for the condemnation of Eutaw street, formerly Gibson street, between Mount Hope lane and North avenue; and Presstman street, between Madison and Linden avenues, as laid down on Poppleton's plat," which were read, and, on motion of Mr. Price, was recommended to the Joint Standing Committee on Highways.

A report from the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have constructed a culvert or sewer across the bed of Fulton avenue, at or near the intersection of Baker street, as large as in his judgment may be necessary, and that the sum of two thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated therefor, the same to be taken out of the levy for 1871.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Highways, with the following ordinance, was received from the Second Branch and read :

An ordinance to change the name of Thompson street, west of Fremont street, to Edmonson avenue.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the name of Thompson street, from Fremont street westward, be, and the same is hereby, changed to Edmonson avenue.

SEC. 2. And be it further enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

The following resolution was received from the Second Branch and read :

Resolved by both Branches of the City Council, That a committee of three members of each Branch be appointed by the Chair, and be hereby instructed to inquire into, and report upon the availability, and probable cost of securing for the purposes of a public square, the property (in addition to that now owned by the city,) within the following limits, viz: Bounded on the west by Charles street, on the south by Biddle street, on the east by North street, and on the north by the south line of Jones' Falls.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

The Chair named as the committee on the part of this Branch—Messrs. Bond, Johnson and Smyrk.

Mr. Berry called up ordinance (known as No. 3 on the file) entitled "An ordinance to provide for the grading and paving of Charles, Warner, and Hanover streets, from West street south to the Spring Gardens, or so much thereof as lies within the limits of direct taxation," which was read.

The question recurring on the passage of the ordinance, it was declared passed, and the title approved.

Col. Wm. Robertson, Secretary to the Mayor, appeared at the bar of the Branch with a sealed communication from his Honor the Mayor.

The Second Branch returned the resolution appropriating \$300 for placing a pump in Battery Square, with the following amendment, which was read :

Add after the words dollars, the words, "or so much thereof as may be necessary."

On motion of Mr. Johnson, the Branch concurred in the amendment.



The Second Branch returned the resolution granting permission to Dr. A. C. Robinson to excavate a well in Wine alley, with the following amendment, which was read :

Strike out the words " City Commissioner," and insert the words " Water Engineer."

On motion of Mr. Johnson, the Branch concurred in the amendment.

The following ordinances were returned from the Second Branch, severally endorsed "passed:":

An ordinance to provide for the paving and grading of Charles, Warner, and Hanover streets, &c.

An ordinance to authorize the Union Railroad Company of Baltimore to lower the bed of Belair avenue, &c.

An ordinance to alter the grade of Eager street, between Broadway and Ann streets.

An ordinance to authorize property holders on the east side of Russell street, between Hamburg and west streets, to build within twelve feet of the present curb line.

An ordinance fixing the salary of the clerk to the City Commissioner.

An ordinance fixing the salary of the Assessor of real estate.

An ordinance fixing the salary of the janitor of the old Masonic building, the watchman of the old Masonic building, and the watchman of the Court House.

The Second Branch returned the following resolutions, severally endorsed "adopted."

Resolution in favor of Martin A. Sisson & Co., contractors.

Resolution granting permission to Jno. Meeth to erect a livery stable.

Resolution granting an extension of time for the payments of benefits for the opening of Lexington street.

Resolution in favor of the Vestry of St. Peter's Protestant Episcopal Church.

Resolution for the construction of North avenue bridge, &c.

The President presented the following communication. which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, Nov. 22, 1870.

*To the honorable the Members of the  
First and Second Branches of the City Council:*

GENTLEMEN : An ordinance entitled "an ordinance to repeal section fourteen of Baltimore City Code (1869), title 'Ordinances,' sub-title 'City Council,' and to re-enact the same, with amendments," is herewith returned to your honorable body, without my official sanction, for the following reasons :

Section (25) twenty-five of the City Charter (Baltimore City Code) provides thus : They (the City Council) shall ascertain, by ordinance, the compensation for their services, which shall not be increased during their continuance in office.

The last section of the ordinance before me provides that "this ordinance shall take effect from the date of its passage."

But, as the Second Branch of the Council was elected over twelve months ago, for the term of two years, and have accepted the pay prescribed for them during the past year, any action of *theirs* increasing said pay would, necessarily, be increasing compensation during their continuance in office, and therefore violative of the section of the City Charter above quoted.

I desire to say that I have judiciously considered the subject before us, wishing—in the light of my own information as to the utter inadequacy of the “per diem” of your members, as a compensation for their great public service, rendered more by far in committee duty than in actual Council meetings—to concur with you, if possible, consistent with my oath of office. In this endeavor I have thoroughly discussed my opinion with the law officers of the city, determined, if my course of duty admitted of doubt, in view of the extreme delicacy of the situation in which I am placed, and my personal sense of the justness of the measure, to give to it my official approval. But I am persuaded that the law has left me no choice.

Very respectfully,

Your ob’t servant,

ROBERT T. BANKS, *Mayor*.

On motion by Mr. Bond, the vote by which the ordinance entitled “An ordinance to repeal section 14 of Baltimore City Code (1869), title ‘Ordinances,’ sub-title ‘City Council,’ and to re-enact the same with amendments,” was passed, was reconsidered.

The question recurring on the passage of the ordinance, notwithstanding the veto of the Mayor, the yeas and nays were demanded by Mr. Mills, resulting as follows.

*Yeas*—Messrs. Weitzell, Bruce, Smyrk, Kernan, Torsch, Bond, Price, Randall, Berry, Freeberger, Ehlers Johnson, Weaver, Crout—14.

*Nays*—Messrs. President, Hudgins, Mills, Ward, Sommerlock—5.

Under the rules of the Branch, a three-fourths vote being required to pass the ordinance over the veto of the Mayor, the bill was declared lost.

The Second Branch returned the ordinance entitled “An ordinance to authorize and empower the Baltimore City

Passenger Railway Company to lay double tracks of their railways from the corner of Baltimore and Eutaw streets to Camden Station," with the following amendment, which was read :

Strike out all in the 2d section after the words "existing lines of railways."

On motion of Mr. Crout, the Branch concurred in the amendment.

On motion of Mr. Johnson, a committee of two was appointed to invite the Second Branch into convention with First, on a sealed communication from his Honor the Mayor.

The Chair named as such committee Messrs. Johnson and Bond.

The two Branches then went into convention, and after remaining therein for some time, the members of the Second Branch returned to their chamber.

Business being resumed, on motion of Mr. Weitzell, the Branch adjourned until the third Monday in January, 1871, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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The following ordinances were presented to the Mayor on January 13, 1871 :

An ordinance entitled an ordinance to fix and establish the compensation of the Janitor of the Old Masonic Building, the Watchman of the Old Masonic Building, and the Watchman of the Court House.

An ordinance entitled an ordinance to fix and establish the salary of the Clerk to the City Commissioner.



An ordinance entitled an ordinance to fix and ascertain the salary of the Assessor of Real Estate of the city of Baltimore.

The following ordinances and resolutions were presented to the Mayor on November 19 :

An ordinance to repeal section 14 of Baltimore City Code, (1869), title " Ordinances," sub-title " City Council," and to re-enact the same with amendments.

Resolution appropriating \$7,000 to the Baltimore City Jail.

Resolution for the removal of fence around Eutaw Place.

Resolution for a gas main on Read street.

Resolution in favor of Charles P. Kahler, City Surveyor.

The following ordinances and resolutions were presented to the Mayor on November 29.

An ordinance to authorize the Union Railroad Company of Baltimore to lower the bed of Belair avenue at the point where it will be crossed by the road of said Company, and to occupy the beds of John and Wolfe streets, so far as may be necessary, upon providing other facilities for the public convenience.

An ordinance to provide for the grading and paving of Charles, Warner and Hanover streets, from West street south to Spring Gardens, or so much thereof as lies within the limits of direct taxation.

An ordinance to authorize and empower the Baltimore City Passenger Railroad Company to lay double tracks of their railways from the corner of Baltimore and Eutaw streets to Camden Station.

An ordinance to authorize the property holders on the

east side of Russell street, between Hamburg and West streets, to build within twelve feet of the present curb line.

An ordinance to alter the grade of Eager street, between Broadway and Ann street.

Resolution in favor of Dr. A. C. Robinson.

Resolution appropriating \$12,500 for the construction of North avenue bridge.

Resolution in favor of the vestry of St. Peter's Protestant Episcopal Church.

Resolution granting an extension of time for the payment of the benefits assessed for the opening of Lexington street.

Resolution appropriating \$300 for a pump in Battery Square.

Resolution permitting John Meeth to erect a brick stable.

Resolution in favor of Martin A. Sisson & Co , contractors.

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#### APPROPRIATIONS.

Resolution in favor of Baltimore City Jail.....	\$7,000 00
“ for the construction of North avenue bridge.....	12,500 00
“ for pump in Battery Square.....	300 00
	<hr/>
	\$19,800 00

## City Council Chamber,

*Tuesday, January 3, 1871.*

In pursuance of a call by his Honor the Mayor, the City Council convened at the Council Chamber this A. M. at 10 o'clock.

On motion of Mr. Bishop, the Hon. Robert T. Banks, Mayor, was called to the Chair, and Geo. T. Beall, Jr., appointed Secretary.

The Mayor stated the object of the meeting was for the purpose of taking appropriate action in relation to the death of Jos. B. Escavaille, late President of the Second Branch City Council, and spoke in a feeling manner of the high character of the deceased.

On motion of Mr. Duvall, a committee of six was appointed to draft resolutions expressive of the sense of the meeting.

The Chair named as the committee—Messrs. Duvall, Kerr, Milroy, Trippe, Bishop and Johnson.

The committee retired, and after a short absence, through its Chairman, Mr. Duvall, presented the following preamble and resolutions, accompanying them with a few well chosen remarks :

Whereas, The members of the City Council of Baltimore have heard, with deep regret, of the death of the Hon. Joseph B. Escavaille, President of the Second Branch of the City Council, and representative from the Fifth and Sixth Wards of the City of Baltimore, therefore,

Be it Resolved by the Mayor and City Council of Baltimore, That in the death of the Hon. Joseph B. Escavaille

the City of Baltimore has lost a valuable citizen, and the Council an honored and respected member.

Resolved, That we bear testimony to the purity of character, and ability with which he discharged his duties as a public officer, and mourn him also for the many virtues and kindness of heart which bound him to us as a brother and a friend.

Resolved, That we extend to the bereaved family our profound and heartfelt sympathy and condolence, deeply lamenting the loss of him who was an affectionate husband, kind father, and devoted friend.

Resolved, That as a mark of respect to the memory of our deceased Brother, the Council chamber be draped in mourning for the space of thirty days, and that we attend his funeral in a body, and that the flags on the public buildings be displayed at half-mast.

Resolved, That a copy of these resolutions be transmitted to the family of the deceased.

Resolved, That the Chief Clerks of both Branches be directed to enter these resolutions upon the Journals.

Mr. Kerr, in endorsing the resolutions paid a high tribute to the memory of the deceased, and spoke in a feeling manner of his many high qualities, and distinguishing characteristics.

The resolutions were unanimously adopted.

Messrs. Trippe, Crout, and Mills also spoke to the resolutions, and recounted the many estimable qualities and virtues of the deceased.

The Chair announced that a communication had been received from the office of the Grand Secretary of the Independent Order of Odd Fellows, requesting the Council to be present at the funeral of the deceased, which was read.



Also, a communication from Benjamin Price, Esq., member of the Council, regretting his inability to be present, and expressing his deep feeling at the sad event which had called them together.

On motion of Mr. Mills, the Fire Commissioners, as well as the respective departments of the city government, were requested to attend the funeral of the deceased, and on suggestion of Mr. Mills, the Chair appointed Messrs. Duvall and Sommerlock pall-bearers.

On motion of Col. Mills, the meeting adjourned.

By order,

ROBT. T. BANKS,

*Chairman.*

GEO. T. BEALL, Jr.,

*Secretary.*

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## Monday, January 16, 1871.

The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Hudgins and Kernan.

Mr. Bond presented a petition from James Bircckhead, Jr., asking refunding of taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Sommerlock presented a petition from N. F. Williams and others, with regard to the improvement of Jones' Falls, which was read, and, on motion of Mr. Johnson, referred to the Joint Standing Committee on Jones' Falls.

Mr. Weaver presented a petition from John Sherer, to have refunded taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Smyrk presented a petition from John H. Coulter and John R. Gibson, asking increase of salary as watchmen at the City Hall, which was read and referred to the Joint Standing Committee on Ways and Means.

The President presented the following communication from the Police Board of Baltimore city, which was read :

OFFICE BOARD OF POLICE COMMISSIONERS,  
Baltimore, January 16, 1871.

*To the Honorable the Mayor  
and City Council of Baltimore :*

GENTLEMEN—In obedience to a resolution of your honorable body, adopted November 18th, 1870, we have caused to be taken by the police force a census of the inhabitants of the city of Baltimore, which is, in our opinion, as nearly correct in regard to the *number* of souls within the city boundaries as would be obtainable under any system that could be devised. We respectfully submit the result as follows :

*First Ward.*

Precincts.	Males.	Females.	Total.
First.....	2,057	2,053	4,110
Second.....	2,019	2,033	4,052
Third.....	2,547	2,545	5,092
Fourth.....	2,432	2,655	5,087
	<hr/>	<hr/>	<hr/>
	9,055	9,286	18,341

*Second Ward.*

Precincts.	Males.	Females.	Total.
First.....	1,431	1,519	2,950
Second.....	2,141	2,202	4,343
Third.....	2,209	2,294	4,503
Fourth.....	1,278	1,281	2,559
	<hr/>	<hr/>	<hr/>
	7,059	7,296	14,355

*Third Ward.*

Precincts.	Males.	Females.	Total.
First.....	1,955	2,168	4,123
Second .....	1,675	1,817	3,492
Third .....	1,794	2,132	3,926
Fourth.....	1,091	1,209	2,300
	<hr/>	<hr/>	<hr/>
	6,515	7,326	13,841

*Fourth Ward.*

Precincts.	Males.	Females.	Total.
First.....	1,574	1,739	3,313
Second.....	863	911	1,774
Third .....	1,266	1,428	2,694
Fourth.....	1,160	1,263	2,423
	<hr/>	<hr/>	<hr/>
	4,863	5,341	10,204

*Fifth Ward.*

Precincts.	Males.	Females.	Total.
First.....	2,109	2,406	4,515
Second.....	1,544	1,740	3,284
Third.....	1,655	1,912	3,567
Fourth.....	1,357	1,464	2,821
	<hr/>	<hr/>	<hr/>
	6,665	7,522	14,187

*Sixth Ward.*

Precincts.	Males.	Females.	Total.
First.....	2,030	2,389	4,419
Second .....	1,087	1,180	2,267
Third.....,	2,388	2,635	5,023
Fourth.....	1,413	1,561	2,974
	<hr/>	<hr/>	<hr/>
	6,918	7,765	14,683

*Seventh Ward.*

Precincts.	Males.	Females.	Total.
First.....	2,127	2,212	4,339
Second .....	1,738	1,968	3,706
Third .....	1,916	2,445	4,361
Fourth.....	2,441	2,676	5,117
	<hr/>	<hr/>	<hr/>
	8,222	9,301	17,523

*Eighth Ward.*

Precincts.	Males.	Females.	Total.
First .....	1,076	1,069	2,145
Second .....	1,635	1,741	3,376
Third .....	2,470	1,758	4,228
Fourth.....	1,405	1,465	2,870
	<hr/>	<hr/>	<hr/>
	6,586	6,033	12,619

*Ninth Ward.*

Precincts.	Males.	Females.	Total.
First.....	1,097	1,006	2,103
Second .....	699	593	1,292
Third.....	1,378	1,405	2,783
Fourth.....	1,524	2,010	3,534
	<hr/>	<hr/>	<hr/>
	4,698	5,014	9,712

*Tenth Ward.*

Precincts.	Males.	Females.	Total.
First .....	1,368	1,394	2,762
Second .....	1,326	1,711	3,037
Third.....	1,173	1,282	2,455
Fourth.....	1,603	1,912	3,516
	<hr/>	<hr/>	<hr/>
	5,470	6,300	11,770



*Eleventh Ward.*

Precincts.	Males.	Females.	Total.
First.....	989	1,549	2,538
Second.....	1,136	1,981	3,117
Third.....	2,001	2,620	4,621
Fourth.....	1,103	1,859	2,962
	<hr/>	<hr/>	<hr/>
	5,229	8,009	13,238

*Twelfth Ward.*

Precincts.	Males.	Females.	Total.
First.....	1,520	1,891	3,411
Second.....	1,166	1,571	2,737
Third.....	655	1,139	1,794
Fourth.....	1,700	2,786	4,486
	<hr/>	<hr/>	<hr/>
	5,041	7,387	12,428

*Thirteenth Ward.*

Precincts.	Males.	Females.	Total.
First.....	739	931	1,670
Second.....	1,221	1,484	2,709
Third.....	1,627	1,809	3,436
Fourth.....	1,353	1,579	2,932
	<hr/>	<hr/>	<hr/>
	4,940	5,803	10,743

*Fourteenth Ward.*

Precincts.	Males.	Females.	Total.
First.....	1,371	1,581	2,952
Second.....	1,268	1,588	2,856
Third.....	1,205	1,517	2,722
Fourth.....	1,824	2,167	3,991
	<hr/>	<hr/>	<hr/>
	5,668	6,853	12,521

*Fifteenth Ward.*

Precincts.	Males.	Females.	Total.
First.....	1,381	1,464	2,845
Second.....	1,932	2,016	3,948
Third.....	2,265	2,492	4,757
Fourth.....	1,913	1,940	3,853
	<hr/>	<hr/>	<hr/>
	7,491	7,912	15,403

*Sixteenth Ward.*

Precincts.	Males.	Females.	Total.
First.....	3,297	3,532	6,829
Second.....	2,244	2,304	4,548
Third.....	1,456	1,545	3,001
Fourth.....	1,391	1,444	2,835
	<hr/>	<hr/>	<hr/>
	8,388	8,825	17,213

*Seventeenth Ward.*

Precincts.	Males.	Females.	Total.
First.....	1,738	1,802	3,540
Second.....	2,337	2,306	4,643
Third.....	1,311	1,357	2,668
Fourth.....	1,016	1,068	2,084
	<hr/>	<hr/>	<hr/>
	6,402	6,533	12,935

*Eighteenth Ward.*

Precincts.	Males.	Females.	Total.
First.....	3,706	3,732	7,438
Second.....	1,207	1,200	2,407
Third.....	1,488	1,584	3,072
Fourth.....	3,516	3,849	7,365
	<hr/>	<hr/>	<hr/>
	9,917	10,365	20,282

*Nineteenth Ward.*

Precincts.	Males.	Females.	Total.
First.....	995	1,199	2,194
Second.....	1,057	1,325	2,382
Third .....	1,594	2,278	3,872
Fourth.....	2,854	3,371	6,225
	<hr/> 6,500	<hr/> 8,173	<hr/> 14,673

*Twentieth Ward.*

Precincts.	Males.	Females.	Total.
First.....	1,427	1,666	3,093
Second.....	1,617	1,893	3,510
Third.....	1,929	2,189	4,118
Fourth.....	2,528	3,150	5,678
	<hr/> 7,501	<hr/> 8,898	<hr/> 16,399

*Grand Total.*

Males.....	133,128
Females.....	149,942
	<hr/> 283,070

In submitting this report, we beg leave to direct your attention to the marked inequality of the number of people in the several Precincts, Wards, and Legislative Districts, and respectfully to suggest that your honorable body take the necessary steps, at as early a period as practicable, for equalizing the same.

The power is vested in your honorable body alone to change the boundaries of the wards, as will be seen by referring to Article 4, section 3, of the Code of Public Local Laws, which reads as follows :

“ The City of Baltimore is divided into twenty wards, according to their present bounds and limits, and it shall

be the duty of the Corporation to correct the division from time to time, so as to preserve, as accurately as may be, an equal number of inhabitants in each ward."

We ask this legislation that we may be enabled to carry out the duty which is by law imposed upon us. The Special Election Laws for the City of Baltimore requiring the Board of Police "from time to time to alter and correct said divisions, whenever they shall deem it expedient," and "in case of any change in the number or locality of the wards of said city, the Board of Police shall, as soon as practicable thereafter, distribute the same generally into equal precincts, as nearly as may be, to contain four hundred and fifty voters, more or less, as nearly as in their discretion they may deem advisable; and shall from time to time thereafter amend such distribution if need be, so as to preserve such result."

Article 3, section 4, of the Constitution of Maryland, says :

"And the General Assembly shall have power to provide by law, from time to time, for altering and changing the boundaries of the three Legislative Districts of the City of Baltimore, so as to make them, as near as may be, of equal population; but said districts shall always consist of contiguous territory."

It will be observed that the first Legislative District contains 103,134, the second Legislative District 90,839, and the third Legislative District 89,097 souls; making a difference as between the first and second districts of 16,037, and of the first and third districts of 12,295 souls.

It will be for your honorable body to determine whether the disparity in numbers of the several districts is sufficient to warrant your petitioning the next General Assembly for an alteration of the boundaries of said wards.

In addition to this legislation, it is absolutely necessary that a thorough registration of all the voters of the city shall be taken, and their dwelling places given, and we



therefore urge your honorable body to request the next General Assembly to pass a supplemental Act, providing for such entirely new and thorough registration of our voting population.

The Board of Police will then be enabled to re-arrange the boundaries of the precincts so as to conform to the new division of wards, which, we take it for granted, will be provided for by your honorable body, even should no re-division of the Legislative Districts be had, thereby greatly facilitating our citizens in exercising their right of franchise.

By order of the Board,

WM. H. B. FUSSELBAUGH,

*President.*

On motion of Mr. Johnson, the communication was referred to the Joint Standing Committee on Police and Jail.

The President presented the following communication from James Curran, Esq., Water Engineer, which was read :

BALTIMORE, January 16, 1871.

*To the honorable the Presidents and Members of the  
First and Second Branches of the City Council of Baltimore:*

GENTLEMEN—I respectfully submit the following in reply to Resolution No. 261.

There are many obstructions at present which prevent making a thorough and complete job whereby the eastern supply might be benefited at once, particularly the Alms-house. Near Mount Royal Reservoir, where it is advisable to increase the pipe from a ten-inch to a twenty-inch, it is not safe to move, until the Potomac Road has fully determined what course it is to take, as you will understand any change or even the present supply will come in contact with said road. Again, to make a reliable and permanent arrangement, North Boundary should be opened to its eastern

limits, and the pipe extended along said avenue ; otherwise, if given a low elevation (as the present one has) innumerable connections will be made to it, reducing the head and again subject to complaint.

For the present I would recommend that the line now supplying the Almshouse, along Bond, Broadway, Monument, Eager, Chase, Biddle, Register streets and Point lane, be changed to Mount Royal Reservoir. To do so, it will require an extension of pipe costing two thousand five hundred dollars (\$2,500) ; this I propose only as a partial relief until such times may arise that the line can be increased from a ten-inch to twenty-inch from McMechen street and Boundary avenue to the Harford road ; thence to form two lines—one of which is now in the ground, and the other should be carried through streets of high elevation that are not opened—the two lines meeting each other and connecting at McElderry and Washington streets to a sixteen-inch pipe ; thence to Gist and Lombard streets we have four thousand one hundred feet (4,100 ft.) of sixteen (16), eighteen (18), and twenty (20) inch pipe ; thence to city limits seven thousand eight hundred feet (7,800 ft.), there is a six-inch pipe which might be increased to a ten-inch. With the six-inch pipe from the city limits the supply should be satisfactory, provided the arrangements now in contemplation of benefiting the northwest section is carried out, thereby taking another important draw from the same source of supply, which will materially benefit the eastern supply.

Respectfully submitted,

JAS. CURRAN, *Water Engineer.*

On motion of Mr. Crout, the communication was referred to the Joint Standing Committee on Water.

The President presented the following communication from R. A. McAllister, Esq., Agent of the Mute Asylum, which was read :

*To the Honorable the Mayor and*

*City Council of Baltimore :*

The Agent of the Mute Asylum, for Baltimore city, would most respectfully report, that during the year 1870, the admissions into the asylum from the city were nine (9), five

(5) females and four (4) males. The term of one (1) of the pupils has expired, which makes the total number in the institution at the close of the year 1870 forty-one (41) beneficiaries from Baltimore city.

Since my last report to your honorable body, the entire number of pupils from Baltimore city have been transferred from the city to the State, under an Act of the Legislature of Maryland, consequently no appropriation will be required for the maintenance and tuition of the pupils sent from the city of Baltimore.

The greater number of the parents of the children are very poor, and in some instances the children have no one to care or to look after them, consequently the Agent has a special care for them when away from the institution on vacation or at Christmas holidays.

And while the transfer from the city to the State reduces the appropriation required heretofore of eight thousand dollars (\$8,000) annually, the increased fare to Frederick over that paid formerly on the Washington Branch of the Baltimore and Ohio Railroad, and the large increase of pupils, will require a small increase of the contingent fund for the year 1871.

I would further state to your honorable body that since my last report the Principal of the institution has been changed, and it is now under the management of Professor Charles W. Ely, of whom the pupils from the city speak in the highest terms, as also of all the officers attached to the institution.

The President and Directors have done all in their power to make the institution a pleasant home for those unfortunates of our city and State, of whom in all number about eighty.

All of which is respectfully submitted.

R. A. McALLISTER,

*Agent for Baltimore City.*

On motion of Mr. Johnson, the communication was referred to the Joint Standing Committee on Ways and Means.

A committee of the Second Branch appeared at the bar of the Branch and announced that that Branch had organized by the unanimous election of Henry Duvall, Esq., President, *vice* Joseph B. Escavaille, Esq., deceased.

On motion of Mr. Trippe, a message was sent to the Second Branch, proposing the appointment of a joint special committee of three from each Branch to wait on his Honor the Mayor and inform him that the Council was organized, and was ready to receive any communication from him.

The Chair named as such committee on the part of this Branch—Messrs. Trippe, Torsch and Crout.

The President presented the following communication from George P. Kane, Esq., which was read :

BALTIMORE, January 16, 1871.

*To the Honorable the President and*

*Members of the First Branch of the City Council:*

GENTLEMEN—As one of the Commissioners for the improvement of Jones' Falls, I deem it my duty to make a plain statement of the causes which have arrested or delayed the Board in the execution of its trust.

The statements which have been so persistently put forth, that the work has been delayed because of "want of harmony among the Commissioners," are without a shadow of foundation in truth.

It is hardly necessary to call the attention of your honorable body to the fact, that until the City Surveyor, (the officer named in the ordinance to do the work), shall have furnished to the Board complete surveys, showing a correct plat of each and every piece of ground, its dimensions, and the name of its owner, from Eager street to the Basin, on each side of the Falls—that is either to be touched or likely



to be damaged by the contemplated improvement—it would not only have been illegal but utterly impossible to have begun the work, and it is perfectly absurd to attempt to make it appear otherwise, and is neither more nor less than trifling with, and an imposition upon the *real sufferers in the flooded district*, to put such deception upon them.

Now, when you are officially informed of the fact, that up to this day the only portion of these plats with which the Board has been furnished, is that embracing the property between the Basin and Canton avenue, you have the whole secret of the delay so much complained of; and it is neither fair nor manly to abuse the Commissioners for not doing that which the terms of the ordinance itself effectually hindered them from doing.

Whether the surveyor has or has not unnecessarily procrastinated the work, it is not within my province to decide, as he is made independent of the Commission by the terms of the ordinance; but even had such not have been the case, I hold myself free of all responsibility in the matter, and for the delay growing out of it, as it is well known that I brought the attention of the Joint Committee of the Council to this very subject five or six months ago, in an official communication, over my signature, in which I not only explained the fact of the existence of the delay, but transmitted a proposal from two (2) of the most respectable and reliable surveyors in Baltimore, offering to do the whole work, and give bond for its faithful execution within sixty days from that time, for the sum of \$3,500.

Indeed, it seems very evident to my mind, that those by whom the ordinance was framed never designed that either the surveyor or the plats should be so far under the control of the Commission as to enable it to either hasten or retard the execution of the improvement, but left the surveyor the sole arbiter of that question.

The fact is doubtless within the recollection of your honorable body, that within ten days from the date of the organization of the Board, last spring, a pretty vigorous effort was made to break it up, and a very strong lobby in-

terest and influence brought to bear upon the Council for that purpose, on the pretext of "want of harmony in the Board," but which, in plain English meant, simply, *because the majority of the Board, at that time, would not pledge themselves to accept, or advance whatever vague ideas may have been afloat in the brain of the minority, without their having ever been put on paper and shown to the Council, or to any body else, and to adopt them, unseen, as the details and drawing by which this immense contemplated work was to be carried on, and millions of the money of the people of Baltimore to be expended.*

It was in combatting such silly pretensions as these, and similar ones, and not, as has been shown, in any way relating to the beginning of the work, but as to the rights and duties of the Board of Commissioners, and the extent of their responsibility for the faithful execution of the ordinance, that gave origin to the "*idle and useless discussion in the Board,*" about which so much has been said and written.

The Council having devolved upon the Commission the responsibility of executing the ordinance, and placed so large an amount of money at their disposal, I conceived it to be not only my right, but that it was made my imperative duty as one of the Commissioners, to cause a careful scrutiny of every thing connected with the trust in part confided to me, inside and outside of the Commission; and especially was it my duty to cause a careful scrutiny to be made by the chief engineer of the work, Mr. Latrobe—a gentleman whose selection for the place met with the cordial approval of the entire press, and nine-tenths of our citizens—of all the plans and drawings before the Board, upon which the work would have to be let, and the contracts given out.

I regret to say, however, that this permission has been denied me by a majority of the Board, by what I believe to be a serious misconception of the ordinance on their part, that these plans and drawings are the private property of the gentleman to whom the Council had granted permission to present them, and were not subject to the scrutiny of either the chief engineer or myself until the work was

ready to be let. A view of the case which I feel very confident is not shared in by any respectable number of the members of the Council by whom the ordinance was adopted.

In my opinion there are grave reasons why the Council should cause this entire ordinance to be carefully revised, and unless it is meant, in all seriousness, to put the whole work under the control of a single member, it seems to me that prudence would dictate a re-construction of the Commission.

Before doing the latter, however, I would respectfully suggest to your honorable body, that the existing Board be directed to cause all the plats and surveys, showing the new lines of the stream, &c., which I learn from the surveyor will be completed this week—including the damage plats, together with all the field notes appertaining to the surveys, which are the property of the Mayor and City Council, and which constitute most valuable material for any additional action on its part—to be gathered and held in readiness for reference when needed; they, doubtless, comprising the most accurate survey of that vicinity now on record.

Before closing—perhaps finally—my connection with this subject, permit me further to invite the serious consideration of your honorable body to the tenure upon which the city's control over some of the most important existing avenues on the margin of Jones' Falls is held, which in some instances I know to be a mere easement; and in the event of the property being changed, or diverted from the conditions made by the grantors, it may revert to other parties, and entail heavy loss upon the city. Hence, it would seem to me to be no more than ordinary prudence to submit this entire subject, with the several changes proposed to be made, as shown by the plat of the city surveyor, to the law officers of the city, with authority to cause a thorough investigation of the subject suggested.

Having accepted the position of Commissioner, unsolicited on my part, I am quite ready to relinquish the trust whenever it is thought the public interest will be thereby pro-



moted ; but so long as I may remain a member of it, I shall endeavor to discharge its duties according to the dictates of my own judgment and sense of right, regardless of outside pressure and misrepresentation.

Very respectfully,

Your obed't serv't,

GEO. P. KANE.

On motion of Mr. Trippe, the communication was referred to the Joint Standing Committee on Jones' Falls.

The following message was received from the Second Branch :

IN SECOND BRANCH,  
Baltimore, January 16, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition to appoint a joint special committee to wait on his Honor the Mayor and inquire whether he has any communication to make, and name on the part of this Branch—Messrs. Kerr, Milroy and Ogle.

By order,

GEO. T. BEALL, Jr., *Clerk.*

Mr. Trippe presented the following communication from Benj. Latrobe, Esq., which was read :

*To the Honorable the City Council of Baltimore :*

The undersigned begs leave to submit to your honorable body the following remarks relating to his position as Chief Engineer of the Commission for the Improvement of Jones' Falls, the duties of which he has stood prepared to discharge whenever the opportunity should be afforded him, which, from no fault of his, has not yet been offered.

The office was not sought by me, but declined, until at the earnest and repeated request of a majority of the Commission I accepted it, with the understanding that I was



not to be required to relinquish other professional engagements, but only to give the work all necessary supervision, with suitable assistants to attend to its execution in detail. The salary attached would not have warranted any engineer of standing to accept it upon other conditions.

I was, of course, aware that the Council had adopted the *general* plan of Mr. Tyson ; but as he had then furnished no working drawings of the various parts of the work, and the Council could not therefore have adopted what they had not seen, I naturally presumed that I should be allowed to examine them when prepared, and to make such suggestions in regard to them as my experience and judgment might dictate.

My appointment took place upon the 24th of June last, and was accepted upon the 29th of that month ; but up to this time I have not been called upon by the Commission to perform any actual service, although my official position has been recognized by a majority of its members and by your honorable body, whose summons, when at a distance, I attended in order to view a part of the work and to give my opinion in writing upon an important question connected with it. I cannot, therefore, doubt the fact of my holding the office, however imperfectly discharging its duties thus far, for want of the opportunity to perform them.

Now, I respectfully call the attention of the Council to the position in which I am thus involuntarily placed, and to ask whether it was really your design, in creating the office of Chief Engineer to the Commission, that he should be a mere superintendent of the execution of plans he has not, up to this time, been permitted to see, or whether, on the other hand, that he should bring to bear upon these plans whatever ability and experience he might possess, so that their defects, if any, might be pointed out before it should be too late, and such action taken on the part of your honorable body as might seem proper to you.

As I cannot suppose that it *was* the intention of the Council to refuse to avail of *all* the skill which could be enlisted in a work of such magnitude, difficulty and danger as

this, I respectfully ask that you would declare yourself upon the subject.

I would add, that so far as I am concerned the author of the plan of the improvement is perfectly welcome to all the distinction it may confer. No work of any importance, however, can be either properly planned or executed without the help of other minds and hands, and the head of every such work should be not only willing, but anxious to advise with those who are to co-operate in its execution.

If the plans referred to, when I might be permitted to see them, should be found to contain no features which, as an engineer of some experience, I should regard as seriously defective, I would, of course, feel bound to execute them, even if any suggestions I might make for their improvement in their details were not adopted. I should be unfaithful to my trust if I acted otherwise. Besides, the author of the plans, being one of the Commissioners, is supposed to oversee the execution of them vigilantly and jealously, and any evasion of them would be detected at once.

If, now, it was your intention, in passing the ordinance creating the office of Chief Engineer to the Commission, that he should occupy a position which seems to me so anomalous, and if it is your wish that it should so continue, my own course is clearly indicated, and I will retire at once. I would have done so before this, finding that it seemed determined that the place should, in my hands, be a *forced sinecure*, but that I did not feel quite sure of what the wishes of your honorable body might be in this respect. I now most respectfully ask you to signify them in such way as you may deem most fitting, and I shall cheerfully submit to them.

I regret the necessity of this appeal to you ; but I feel it the more as, in the account recently published as an official history of the improvement thus far, and which will, no doubt, be laid before you, the omission of my reply to a paper communicated to the last Council, at its last meeting, places me before you in the position of the defeated party to a controversy with the author of the plan, into which I

was unwillingly drawn, but which had no connection with what my duties as engineer would require of me.

Respectfully submitted,

BENJ. H. LATROBE,

*Chief Engineer Jones' Falls Improvement.*

On motion of Mr. Johnson, the communication was referred to the Joint Standing Committee on Jones' Falls.

Mr. Bond offered the following resolution, which was read :

Whereas, There is great anxiety in the public mind regarding the delay in the improvement of Jones' Falls, rendering it proper that some prompt and decisive action should be taken by this Council in the premises :

And, whereas, It is desirable that in order to such action, all information which may be of use thereon be in their possession, therefore,

Resolved by the First Branch of the City Council of Baltimore, That the Board of Commissioners be, and they are hereby requested, to submit to Benj. H. Latrobe, Esq., Chief Engineer of the work, all such plats, drawings, specifications and details, in relation to and bearing upon the improvement of Jones' Falls as may be now in their possession, or under their control, with a request that he give the same his careful consideration, and report in writing to the Board, at the earliest moment, whether any additional legislation be required by the City Council to enable the improvement to be carried out, with economy and success. And that the said Board of Commissioners be further requested to transmit to this Council, so soon as made, the report of said Chief Engineer referred to.

Mr. Johnson moved to refer the resolution to the Joint Standing Committee on Jones' Falls, on which Mr. Crout moved, as a substitute, to lay the resolution upon the table.

The question being on the substitute, viz : to lay upon the table, it was declared lost.

The question being on the motion to refer to the Joint Standing Committee on Jones' Falls, was also declared lost.

The question recurring on the resolution, it was declared adopted.

The committee appointed to wait on his Honor the Mayor, returned and informed the Branch that his Honor had nothing to communicate at this time.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, January 16, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, 23d inst., at 5 o'clock.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

On motion of Mr. Johnson, the message was concurred in.

Mr. Price offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of thirty-five hundred dollars, or so much thereof as may be requisite, be, and the same is hereby, appropriated to pave the new Belair Market-house, now just completed, with the Nicholson pavement.

On motion of Mr. Johnson, the resolution was referred to the Joint Standing Committee on Markets.

Mr. Ehlers offered the following resolution, which was read :



Whereas, It is important to the present and future interest of the citizens of Baltimore that Battery Square should be extended to the water line on the Patapsco river, especially when it can be done at a reasonable outlay ; therefore, be it

Resolved by the Mayor and City Council of Baltimore, That the Park Commissioners be, and they are hereby, authorized to purchase the property intervening between the south line of Battery Square and Patapsco river, and have the same enclosed and added to Battery Square.

On motion of Mr. Crout, the resolution was referred to the Joint Standing Committee on Parks.

On motion of Mr. Johnson, the Branch adjourned until Monday afternoon next, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, January 23, 1871.

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The Branch met pursuant to adjournment.

Present, GEO. W. BISHOP, Esq., President, and all the members, except Mr. Crout.

Mr. Trippe presented a petition from Dr. George Reuling, asking an appropriation of \$2,000 for the Maryland Eye and Ear Infirmary, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Trippe presented a petition from Sarah McCullough, for refunding of taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Smyrk presented a petition from Michael Dwyer, for compensation as watchman in the City Yard, which was read and referred to the Joint Standing Committee on Claims.

Mr. Price presented a petition from James M. Rhett, asking for abatement of assessment, which was read and referred to the Joint Standing Committee on Highways.

The President presented a petition from John Colton and other lamplighters, asking for increase of pay, which was read and referred to the Joint Standing Committee on Ways and Means.

The President presented a petition from E. L. Irons and others, for the erection of a fire alarm box on the corner of Gist and Pratt streets, which was read and referred to the Joint Standing Committee on the Fire Department.

Mr. Mills offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That the Clerk of the Branch be directed to withdraw from the files of the City Register all the papers relating to the improvement of Light street wharf.

The President presented the following communication, which was read and laid on the table :

*To the Honorable Mayor and*

*City Council of Baltimore :*

GENTLEMEN:—In compliance with the requirements of an ordinance of your honorable body, approved on the 19th of November last, I have furnished to the Board of Commissioners for the improvement of Jones' Falls, and to the Register of the city, within the time designated by the ordinance, copies of "all such detail drawings, designs, plats and specifications as in" my "judgement are necessary, requisite and proper for the execution and carrying out of the plan for the improvement of Jones' Falls."

Very respectfully,

Your obedient servant,

HENRY TYSON,

*Civil Engineer.*

Col. Wm. Robertson, Secretary to the Mayor, appeared at the bar of the Branch with a communication from his Honor the Mayor.

On motion of Mr. Trippe, a committee of two was appointed to invite the Second Branch into this Chamber to hear the communication read.

The Chair appointed as such committee Messrs. Trippe and Johnson.

The members of the Second Branch appeared and took seats in this Chamber.

The President presented the following message from his Honor the Mayor, which was read:

MAYOR'S OFFICE—CITY HALL,  
Baltimore, January 23d, 1871.

*To the Honorable Members of the*

*First and Second Branches City Council.*

GENTLEMEN:

With the return of this period of the year recurs the Mayor's duty, under the law, to report "the general state of the city." To do this, the usage has latterly been to inquire into the condition and working of each department of our municipal government, and deduce therefrom the general complexion of progress or retrogression, according to the facts. This method, though tedious, because of the merit of thoroughness, will be pursued, at present, to a demonstration of the truth—I hope—that the general state of the city, is morally and materially, better than when I had the honor to report it, twelve months ago.

But, before entering upon this comparative view of our past and present condition, in order to evolve a fact for which we *may* be thankful, it is eminently proper that we should reverently appreciate and acknowledge the truth, which needs not the process of comparison to unfold, is absolute in itself, and patent everywhere around us, that Providence has indeed blessed our community with general health and prosperity.

## FINANCES.

Notwithstanding the general dullness experienced in business circles during the year, the receipts from taxes and other sources have enabled the Comptroller and Register to meet all claims upon the City Treasury with great promptness; and though the loans of the city's credit in aid of various works of internal improvement, the grave doubts in the public mind respecting the ultimate cost of the Jones' Falls improvement and the virtue of the adopted plan itself, &c., have materially depressed our city stocks, it will be seen, I think, from the subjoined statement, that there is really no legitimate reason why the financial condition of the city should not be regarded as good. Even in the face of this temporary depression of our stocks, no practical mind, looking to the beneficial effect that the works of railroad improvement, referred to, are certain to exert upon the future of the city, will doubt the sound policy of our having extended to them all reasonable assistance. For instance, the city aided the Baltimore and Ohio Railroad in 1836 and 1853.—Does that road now benefit the city?

Total funded debt on December 31, 1870.....	\$24,399,125 47
Funded debt on which interest is paid by others	
than the city.....	<u>12,599,404 19</u>

Amount of debt on which interest is paid by	
taxation.....	\$11,799,721 28
Guaranteed debt.....	<u>2,365,000 00</u>
	\$14,164,721 28

Against which the city has available assets of	
stocks and mortgages, amounting to.....	<u>12,567,491 02</u>

Amount of debt over available assets.....	<u>\$1,597,230 26</u>
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Increase of funded debt during the year.....	\$1,146,954 62
Increase of guaranteed debt during the	
year.....	\$490,000
Less am't issued for W. M. sinking fund..	<u>200,000</u>
	\$290,000 00
Total increase of funded and guaranteed debt...	<u>1,436,954 62</u>



The receipts from all sources during the fiscal year, ending December 31, 1870, were.....	6,645,977 50
To which add balance in Bank, Jan. 1, 1870....	169,108 42
	<hr/>
	6,815,085 92
	<hr/>
Total payments during the same period.....	6,416,729 22
Balance in bank, December 31, 1870.....	398,356 70
	<hr/>
	\$6,815,085 92

Under the administration of the present Finance Commissioners the sum of \$426,272.69 has been added to the sinking fund.

Entire confidence in the ability and integrity of my colleagues of the Commission and of our clerk, does not relieve me of the duty of repeating a recommendation contained in my last annual message, to the effect that "the office of the Commissioners of Finance be, by law, made, in its interior management, an independent department, subject to a control similar to that of other departments, and invested with authority to select their own clerk."

This reform would, evidently, much simplify the financial transactions of the city, and enable your Committees to learn at any time, from the ledger of a single department, their actual condition.

#### REASSESSMENT.

It is conceded that our last assessment was very defective. Nor is there any doubt that many of the real estate properties, in the city, are entered upon the books of the Collector, at values decidedly too low. While, on the other hand, the smaller ones, for the most part, seem to be assessed fully up to their cash values. I have no question, moreover, that much personal property, is, at present, escaping taxation altogether, and that there are frequent instances of over-valuation of "personalty" upon the tax books. The latter are, it is true, to some extent, within the control of the Appeal Tax Court. But a judicious *general reassessment* of property in the city would correct all these inequalities, and add, I am persuaded, so materially to the *basis* of assessment, as to enable a very decided reduction of the rate per centum of taxation.

*This*, I am aware, cannot be accomplished without an enabling act of the Legislature, and I refer to it, at this time, for the double purpose of inducing the proper steps—when the General Assembly shall convene—to secure the passage of such an act, and of explaining, in part, the cause of our \$1.50 per cent. taxation, which is thought by some of our citizens to be high, but which, compared with the rates of many of the leading and improving cities of the country, is really very low.

From the fluctuating character of personal property, I am satisfied that good policy dictates its reassessment every two years. This is within the power of the Mayor and City Council, and I recommend that an ordinance be adopted, at once, to authorize it. This measure would of itself add from \$25,000,000 to \$50,000,000 to the taxable basis of the city.

#### THE CITY COLLECTOR

reports that, on the levy of 1870, there have been collected 72.44 per centum. His collections for the preceding year, on the levy for the same, were 72.60 per cent., giving a decrease in the per centage, collected upon the respective levies of those years of 0.16 per cent. The aggregate result of this decrease will be indicated by the following table :

Taxes collected in 1869 on levy of that year.....	\$2,362,538 22
“ “ “ 1870 “ “ “ “ .....	2,194,529 62

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A balance of..... \$168,008 60

in favor of 1869. This diminished revenue collected upon the levy of last year, as compared with that of the year before, is accounted for, only in part, by the decreased collection of about  $\frac{1}{3}$  of one per cent., as shown above, and is mainly owing to the facts that the *rate* of levy of 1870 was 10 cents per \$100 less than that for 1869, and the abatement of the basis of that levy, as reported by the Appeal Tax Court, was unusually large.

This result, however, is very satisfactory, particularly when we take in consideration the general depression experienced in all varieties of business in the city, during the year, which has rendered the meeting of pecuniary obligations of every sort less

easy. The journal of the Tax Collector indicates, very readily, any depression affecting the usual industries of the community.

Up to January 1st, 1871, there have been collected, on the levies of the following years, the following per centages, viz :

Of 1867, net basis.....	\$137 953 642.....	Collected on \$135,746,134.....	98.40
" 1868, " .....	194,367,743.....	" " 192,028,864.....	98 80
" 1869, " .....	199,008,586.....	" " 187,996,057.....	94.47,

leaving an average of less than three per cent. of those levies outstanding and in arrears.

The total of taxes, in arrears, collected in 1870 was..	\$718,265 16
" " " " " " 1869 " ..	567,822 31

Showing an increase of.....\$150,442 85

in favor of the year last past. This result demonstrates the superior ability and industry with which this department of the city government has been conducted. Indeed, we are warranted in saying, from an inspection of the back reports in our possession, that no equally satisfactory result has, heretofore, been attained in the transactions of this office.

The amount of taxes collected during the year,	
except for opening streets, &c., was.....	\$3,164,963 06
Of which the city's portion was.....	2,912,794 78
and the State's.....	\$252,168 28

From opening and closing streets, &c., the total received during the year

1869 was.....	\$338,573 24
1870 " .....	182,686 48

The grand total of taxes for use of the city, received during the year, was \$3,095,481.26.

One per cent. of the tax, unpaid on the levy of 1869, is represented by the tax on mortgages. This has been withheld, by reason of the prevailing opinion that the law of the last Legislature, abolishing this tax, also barred the collection of such as had already been levied, but was outstanding at the date of its

passage. The Act is as follows: \* \* \* "Nor shall any tax of any kind be assessed, levied, or *collected* on any mortgage of any kind, or on any mortgage or bill of sale upon any property in this State.

"SEC. 2. And be it further enacted, That all laws, heretofore passed in relation to the assessment and valuation of property in this State, so far as they are inconsistent with this Act, are hereby repealed; and this Act shall take effect from the date of its passage."

#### THE APPEAL TAX COURT

has been more than usually active, during 1870. The total abatements made in the year 1869 were:

On the basis of 1868.....	\$10,000,000
1 " " " 1869.....	14,000,000
	<hr/>
	\$24,000,000,

a considerable portion of which was upon old mortgages and judgments, that had either been settled, or become exempted by law. The abatements made during 1870 were as follows:

From the basis of 1868.....	\$2,865,423
" " " 1869.....	5,466,556
" " " 1870.....	15,608,786
	<hr/>
Making a total of.....	\$23,940,765

Seven million, six hundred and twenty-five thousand, five hundred and twelve dollars of the \$15,608,786, abated from the basis of 1870, were removed from the books of this Department, under the operation of the Act of the General Assembly, abolishing the tax on mortgages, &c., to which reference has already been made.

A considerable portion of the above grand total, abated in 1870, we are informed, was induced by abatement on personal property, made in consequence of fluctuations in business and removals of its holders outside of the limits of the city, where, by reason of our improved railway facilities, they are enabled



to reside and, with great convenience, to transact their daily business, in the heart of the city.

This illustrates the practical importance, to the general public of Baltimore, of the annexation of her populous and wealthy suburbs, as an actual part of the corporation. It is but just that those who are so greatly benefited by proximity to a large, commercial city, should become part and parcel of it, and bear their proportion of the levies by which the improvements, that they enjoy, are made and sustained. The accomplishment of an object, so equitable in itself and of so grave interest to ourselves, should be kept steadily in view.

The number of transfers of real estate (4,025), made upon the books of this office, continues to give evidence of increasing thrift among the active and industrious people of the city.

The following table indicates a steady advance in population, as well as the increasing utility of this office :

Number of permits for buildings and improvements issued in 1866.....	1,334
“ of permits for buildings and improvements issued in 1867.....	1,800
“ of permits for buildings and improvements issued in 1868.....	2,879
“ of permits for buildings and improvements issued in 1869.....	3,012
“ of permits for buildings and improvements issued in 1870.....	3,630

Showing a total of..... 12,655

new buildings erected and improvements of buildings, made in the last five years; also a superior activity in that regard during 1870, as compared with that of 1869, measured by the excess in its favor of 618 permits issued.

The Assessor of the Appeal Tax Court reports 2,533 buildings and 526 additions to buildings, completed in the year just ended, which were assessed by him, at the cash value of \$5,495,500. This amount will, in the main, make so much additional to the present basis, for the basis of taxation for the new year.

These buildings and improvements are chiefly in the frontier wards of the city, whose respective areas are much larger than those of the interior wards. Moreover, the returns of the late census show that those wards have, relatively, excessive population.

These facts impel me, very earnestly, to recommend that your Honorable Body take steps looking to a re-division of the wards, as early as practicable, in pursuance of the 3d section, Article 4, Public Local Laws.

#### CITY COMMISSIONER.

This officer accomplished a large amount of work, during the year 1870. In the item of "grading and paving of streets," the Council will remember that the aggregate of work, done during 1869, exceeded that of the six years previous, almost in the proportion of two to one. The excess in favor of the last year was not so great—yet sufficiently marked to indicate continued and decided growth of the city, in the important particular of convenient public highways.

The matter of grading streets, in a city having such natural irregularity of surface as this, is both arduous and expensive, and, therefore, the evil, as well as the good, effect of the establishing of grades, is apt to be permanently fixed upon the community. This is illustrated by the present elevation of Lexington, Saratoga, Pleasant, Franklin, and Centre streets, between Calvert and Charles, and the corresponding depression of the same, east of Calvert and running down to the bed of the Falls.

Had this upper grade been cut away and rolled back to the low grounds, formerly known as "the Meadows," there is no doubt that the wheels of trade would now be, at least, keeping those streets, to the west of Calvert, clear of grass; and that the benefit to the district, on the east, would have been incalculable. This is one of the errors of our predecessors. It has cost us more than we can estimate. Difficulties of that sort should be met, and effectually disposed of, at the time of the opening or laying out of streets, and before improvements, along their line, render their removal far more expensive.

Under an ordinance adopted at your session, 1870, providing for the paving of streets, &c., *without* the consent of a majority

of the property holders, binding on the same, the Commissioner has been enabled to put several streets, that have been in a state of nuisance for years, under contract. They will be finished by early spring. That ordinance was wisely conceived and will save the Board of Health, as well as the City Commissioner, much embarrassment. As indicating the thorough condition in which the streets have been kept, I will mention that no applications for repaving were made to the Commissioner during the year. Such applications, I am informed, were formerly of frequent occurrence.

It has often occurred to me that there is a very grave, and frequently unnecessary, addition to the expense of repairs of streets, made by breaking their paving, in order to introduce water and gas pipes. If these pipes were put down, in new streets, before the paving, it is evident that it would be attended with less trouble and cost to the Water Board and to the Gas Company, and without entailing the additional charge, above mentioned, upon this department. Of course there may be occasions when this would be impracticable, but, in the majority of cases, it would be both feasible and highly convenient. So far as the water mains are concerned, the regulation of the matter is entirely in the power of the city. With the gas pipes, not so, I presume—the Gas Company being an independent corporation. I give the subject to your consideration.

Among the striking results of the operations of this office, during the year, is the construction of Charles street, Decker street, and North Boundary avenue bridges. These structures are of the most enduring character. As the counterpart to the elegant bridge last named, it would be gratifying to see North avenue extended westward, from Pennsylvania avenue, to connect with Fulton avenue, (which is in process of opening from Franklin street to the northern and western limits of the city,) and graded and gravelled its entire length. This the city might readily do, if the property holders, on either side, would undertake to curb and pave the gutters. This avenue, besides giving us an admirable connecting link between the Eastern and Western sections of the city, and opening a road to the Park, which, when improved, will be used by the people from the former section altogether, will, with Fulton avenue, make a drive unsurpassed by any in the country.



Many improvements have been made, during the year, in the public squares. This is well, for, in an unattractive condition, they become an expense to the city, without accomplishing good to any one of her citizens, except their keepers. I recommend the abolition of the office of Commissioners of Squares, and the appointment of a General Superintendent, who shall have charge of all of them. He should be a salaried officer. Some of the Squares have no keepers, as Harlem Square and those in Broadway and Eutaw place. Provision should be made for them, by ordinance.

The Commissioner refers to the importance, to the city, of having a Steam Engine and Boiler Inspector. I have had the pleasure, heretofore, to recommend the appointment of such an officer. His service would be of incalculable advantage to the manufacturing interest, and would be instrumental in saving human life.

I have also referred to the great importance, to our citizens and to the stranger among us, of indexing the streets and numbering the houses of the city, according to some regular system. The subject has engaged the attention of one of your committees. The public desire is, that some plan shall be settled upon, and the Commissioner be enabled to proceed at once.

It is gratifying to observe the decided improvements that have gone forward in the markets. These have been effected with regard, alike, to the public convenience and the comfort of those whose daily duties confine them much within the market houses.

In the department of school buildings, the Commissioner has also been very active. The neat and elegant construction of the Eastern Female High School gives general pleasure. His report, herewith forwarded, contains valuable suggestions.

#### COMMISSIONERS FOR OPENING STREETS.

This Board, during the year, completed the assessments of damages and benefits, and made final returns to the Register, of a number of important streets opened, closed and widened, and also assessments for the construction of several sewers.



These improvements, when consummated, will add greatly to the convenience of the citizens in their vicinity, and value to their properties—affecting favorably the general wealth of the city.

The tedious routine, through which the work of this office has to pass, is a very serious embarrassment to its usefulness, frequently giving rise to, and opportunity for, captious appeals from the awards of the Commissioners. The rights of private property, however, should be well guarded by the law; tardiness sometimes serves the good purpose of securing justice.

The Board reports a long list of streets and alleys in process of opening, and three sewers in the course of construction.

They report that the ordinance of 1866 and amendments thereto, which embody the rule of duty of their office, are very defective. I am satisfied that their usefulness is much hampered by needless formula, and commend the matter to your legislative consideration.

Seven appeals were taken from the decisions of the Board of Commissioners, during the year. In every case, but two, the Board was sustained by the Court.

#### WATER DEPARTMENT.

As President of the Water Board, I am enabled to say, in advance of the annual report, that the affairs of the department are in a very satisfactory condition. Druid Lake has been completed and is now receiving water. Irrespective of the muddy condition of Lake Roland, after heavy falls of rain, Druid Lake will enable the city at all seasons of the year to enjoy an ample supply of clear water.

The revenue of the department has steadily increased, and the strict economy of expenditure and prompt collection of water rents, enforced by the Board, are about to produce results very agreeable to the tax-payer. For instance, it is the purpose of the Commissioners, from this time forward, to pay, from the revenue of the department, the interest on the entire water stock debt, now amounting to \$5,000,000.

The subject of a better supply of water to the high elevations in our improving Northwestern section, has continued to give me great concern, and has received careful consideration by the Board. I have recognized that, while this is a matter that visits, with peculiar hardships, our citizens in that section, who are not supplied with water at all, or at best, but inadequately supplied, it has another, and general bearing, which gives it additional claim upon the earnest attention of the Councils, as well as, of the Commissioners. My reference is to the injurious effect, that so serious an embarrassment to substantial improvement, must have upon building industry, and the taxable basis of the city. It is now believed, however, that the Water Department will not be under the necessity of invoking the aid of the Mayor and City Council in carrying out this needed improvement. In the opinion of its Engineers, a stand pipe can be erected, at a small cost, compared with that of building a new reservoir, of sufficient elevation, which will amply supply the highest points in the city. To this end, the Engineers are now engaged upon the necessary investigation and estimates, and, as soon as these are completed, it is the intention of the Board to put the work under way. I desire to call your particular attention to a matter of first importance, involving the preservation of property and even human life. I refer to the erection of fire plugs, at proper points, throughout the city.

The annual appropriation of \$6,000, for fire plugs and pumps, is far too small for the purpose. The repairs to pumps and fountains take nearly one-half the whole amount; and, with the balance, it is impossible for the Water Board to comply with the provisions of the ordinance, requiring the erection of at least one fire plug to each square of ground, where pipes may be laid down. I would recommend the appropriation, annually, of the sum of \$10,000 for "fire plugs, pumps, and fountains."

The report of the department will reach you in due time. I desire to refer you, respectfully, to it for details.

#### THE FIRE DEPARTMENT

has continued, during the year, to acquit itself, worthily, of the excellent reputation it enjoys at home and among similar departments of the leading cities of the country; and though a com-

parative table of the number of fires that occurred in the city, in 1869 and the number in 1870, with the respective losses occasioned by them, may seem, in its very statement, to be adverse to this announcement,—as see

Fires in 1869—197.	Losses.....	\$397,244 75,
Fires in 1870—167.	Losses.....	432,717 00—

I need not take the pains to assure you that this unfavorable contrast, in no degree, detracts from that reputation, after informing you that, by far the larger portion of the losses of the last year was experienced from *three* fires—one on Dugan's wharf and two in the southern section of the city—under such circumstances of embarrassment as to render it impossible to save the buildings and their valuable contents, and most praiseworthy that adjacent buildings were not also consumed.

It was believed that Engine Company No. 8, for the establishing of which an appropriation was made in 1869, would have been in active service ere this, but it has been delayed by the non-completion of the building, designed for its occupation. Hopes are entertained that it will be put in service by the 1st of February next. All of its apparatus and equipments have been procured. You will remember that the Council, at its last session, appropriated \$50,000 for the formation of two additional fire engine companies and one hook and ladder company. The latter has been placed in commission. A lot has been secured at the corner of Madison and Register streets, in the northern section of the city, at \$2,200; and the construction of one of the fire engine houses involved, will be commenced in a short time. The other is to be located in the southwestern part of the city. This enlarging of the working force of the department tends, very materially, towards making it adequate to meet, successfully, any probable emergency that will demand its attention.

The Board of Fire Commissioners, after repeating a sad list of casualties of the year—and, they might have added, some from the year preceding—as if to give point to the following recommendation, remark: “Your Commissioners cannot allow this opportunity to pass without again calling your attention to the insecure manner in which many buildings are altered and built.”



They suggest the appointment of an officer, whose duty it shall be to inspect buildings, during their construction or alteration, and *condemn* them, if, in his opinion, the fire walls are unsafe, or the structure is otherwise insecure. Such an officer, I beg to repeat, acting under a properly guarded law, would be of great value to the community.

The following statement will illustrate, relatively, the economical and successful operation of the Fire Department of Baltimore, for the year 1870 :

	Population.	Engines.	Losses.	Expenses.
New York....	1,300,000	38	\$2,120,212	\$950,300 00
Philadelphia..	900,000	47	1,570,291	113,250 00
Boston .....	240,000	15	800,000	383,000 00
Chicago .....	300,000	16	2,307,000	270,653 37
Cincinnati....		19	428,475	240,672 63
Baltimore.. ...	283,000	7	432,717	105,789 83

#### POLICE AND FIRE ALARM TELEGRAPH.

The improvements in this department, referred to in my last annual message as having been begun, but delayed of completion by the failure of the manufacturer to furnish, at the proper time, certain "Automatic Fire Alarm boxes" which were required in the case, were finished early in the year, and now add materially to the efficiency of the city's "circuits."

By resolution of the Council, at its last session, further extensions of the "circuits" were ordered to be made along Belair avenue to a point near the Scheutzen Park, and also to the corner of President street and Canton avenue. The poles and wires, essential in these cases, have been erected, and the boxes (just come to hand) will be placed in position by the Superintendent, in a few days.

These located, there will then be in the city sixty-eight (68) stations from which alarms of fire may be sounded, which are as follows: 57 street alarm boxes, 7 for fire engine and truck companies, and 4 at the Police Stations.



The Superintendent reports this to be an inadequate number, and recommends an addition of fifteen, to be located in the central and densely settled parts of the city, as well as in its remoter and improving sections. His reason for this recommendation is good, as I have occasion to know from personal observation. Fatal delays may sometimes occur, by reason of the distance, at present, between these boxes, in sounding alarms of fires after they have been discovered.

He also recommends, as a necessity growing out of these improvements of the "circuits," (now having an extension of fifty miles around and through the city,) an increase of the working power of the batteries, at present constituted by (206) two hundred and six cups and appurtenances.

There are other practical suggestions, contained in the report we are considering, which I commend to your attention. They all involve some increased appropriation of funds to carry them into effect, but no pains, or reasonable expense should be spared to extend and make more accurate the workings of this valuable auxiliary to the Fire Department.

#### HEALTH DEPARTMENT.

From the report of this office, we learn that the general health of the city, during the year, was good.

The only exceptions to this, mentioned, or that have otherwise come to my knowledge, were caused by the presence of typhus fever, for a short time, in a given locality of the city, in which it is known to have been carried by persons engaged in oyster-catching, and by that of intermittent fever, which, the Commissioner assures us, was not restricted, as heretofore, to the locations in which, for certain ascertained causes, medical men usually expect to find it. The former was managed in the most judicious manner by the Board of Health. To this we probably owe it, that its existence in the city was, by no means, generally known. As the cases came to the notice of the Commissioner, they were promptly sent to the pest hospital. The latter appears unimportant in itself, and is referred to merely as marking, in a slight degree, during the year, the exception to the remarkable general healthfulness of Baltimore city.

The Board of Health has made, at three of the "refuse dumping grounds," some decided improvements, by which it is enabled to make of the street dirt, &c., deposited upon them, a source of increased revenue. These places have been enclosed, and the refuse matter accumulated on the inside of the enclosures, is sold, by a person, placed in charge of each of them, to the farmers and truckers in their respective neighborhoods. Said persons are required to make return of sales to the Board.

The good effect of these improvements is already manifest. They should be applied to the other "dump grounds" at once. I am satisfied that the plan, made to embrace our entire street-cleaning, garbage and night-soil management, and *carried out strictly*, would effect a valuable economy to the city, going far toward defraying the expenses of the entire department; and, but for the existing contract with the Baltimore Fertilizing Company, to take the garbage, manure, &c., of the city, for the sum of \$18,000 per annum—which contract holds until the 1st of July, 1872—I should recommend its, immediate, general application.

#### MARINE HOSPITAL.

The report from this Institution—covering a period, beginning the 5th day of May and ending the 31st of December last, during which the present officer has been in charge—indicates a satisfactory management of its affairs.

The number of cases treated, in that time, was two hundred and eighty-two (all typhus fever), of which forty-two terminated fatally. *This*, the Board of Health informs us, shows more than the usual success attending the treatment of this disease. The Resident Physician reports that the extremely rough manner, in which these invalids were conveyed from the city to the hospital, militated much against their recovery. A ride of six miles, over a rough road, is certainly a severe test of the endurance of the sick.

There is no question that there should be a small steamboat, one that would be easy of management and inexpensive, placed at the hospital for the purpose of boarding vessels, during the season of quarantine, and which, in cases of emergency, such as occurred last spring, might be used to convey the invalids

thither. The detention of vessels would then be of shorter duration—so much for the general economy. The greatest comfort of the sick would be secured—so much for the humanity aspect of the suggestion.

Eight hundred and ninety-three vessels were boarded during the last quarantine season, of which, but one was detained—her condition of health being *only* doubtful. She was soon permitted to pass up to her wharf. The health of the city must be strictly guarded, and the requirements of the merchant and marine interest must also be acknowledged, if we would not impede the commercial progress of the city.

#### ILLUMINATING GAS.

The average illuminating power of the gas, furnished for the public of Baltimore, during the last year, was equal to the light of 15.83 spermaceti candles; of that during the preceding year, 16.30.

Though this indicates some depreciation of quality, it was still much in excess of the established standard, to wit: the combined brilliancy of twelve spermaceti candles.

I have heretofore recommended that this standard be raised, by ordinance of the Mayor and City Council. It is true, as we have been informed, from time to time, by the Inspector, that the Company, which has been supplying the city, has uniformly chosen to give us gas, having a "light-power" considerably greater than the law requires; but if it had chosen to rule itself down to the actual standard, the complaints which have sometimes reached us of indifferent light in our streets, and which, we are satisfied, had their proper origin, not in any imperfection of the gas itself, but in the indifferent burners through which it is consumed, would, we doubt not, have been greatly multiplied. The uniform generosity that marked the conduct of the Gaslight Company of Baltimore, in its transactions with the city, is remembered with becoming appreciation, and I do not intimate, in repeating this recommendation, that the furnishing Company, or any that may succeed it, will not choose thus to continue; but, the city having a standard of gas light, I would desire it to be sufficiently elevated, so that a strict conformity to it would secure the end intended thereby.



The facilities for manufacturing good gas have been greatly increased, in the last few years. This fact should be practically recognized both by the general consumer and the producer; the former, in requiring an article of superior quality, the latter in meeting that requirement at a much reduced rate, as compared with the old prices.

The report, in hand, contains several important practical suggestions, to which I beg, most earnestly, to invite the attention of the Council. The Inspector has incurred some expense in procuring necessary apparatus for his office, to reimburse which he asks for a small appropriation. I doubt not that the matter will receive your consideration, at the proper time.

## CITY JAIL.

The good management of this institution is, measurably, illustrated by the following comparative table, made up from the satisfactory report of the Board of Visitors, for the year just ended:

Number of prisoners received in 1869.....	8,171
“ “ “ 1870.....	8,214
	<hr/>
	43
	<hr/>
Cost of subsistence in 1869.....	\$13,947 49
“ “ 1870.....	12,785 03
	<hr/>
	\$1,162 46

While we must regret to observe that the number of prisoners yearly committed to the jail, still continues to increase, from the operation of causes over which the city authorities have not the least control, it is matter of congratulation, on the other hand, that the expense of subsisting them continues to be abated, under the skill and economy of its officers. With a number of commitments to prison, during 1870, greater by forty-three than the number during 1869, we have the cost of subsistence for the former year, less by \$1,162.46 than that for the latter.

The entire expenditures of the Jail, for the year, were \$47,-214.80. Of this amount, \$44,795.85 were drawn from the city treasury; the balance, \$2,418.95, was derived from account of United States docket, City docket, &c.



In the month of February last, this institution was visited by a malignant form of Typhus, or Jail fever. There were twenty-one cases of this disease, of which, but two were fatal.

The Physician of the Jail informs us that, with that exception, its sanitary condition was very good during the year, there being but 504 invalids that required to be treated in the total number of inmates of the prison (8,214), of whom only eleven died. These results, to my apprehension, indicate a skill in this officer and a devotion to delicate public trust, that are truly remarkable.

The Board of Vistors again call attention to the fact that two-thirds of the total number of prisoners, committed during the year, were held for the minor offenses of "violations of the peace" and "drunkenness"—offenses, they justly say, that are most frequently induced by idleness. These wretched creatures, having, for the most part, but two affections—drunkenness and indolence—use the City Jail, as a haven, in which to enjoy the latter, at the public expense, after their excessive indulgence in the former has induced satiety and repeated violations of the peace of the city. Confinement, to them, is not punishment, but desired opportunity for rest and recuperation, for further and, probably, deeper iniquities. To *such*, labor would be at once punitive and reformatory.

I have, heretofore, recommended the establishment of workshops in connection with the Jail, for the double purpose of relieving the public treasury of the support of this large class of idle and dissolute people, and of teaching them, through the conservative discipline of labor, that there is, in themselves, a self-sustaining power, and even an ability to add, by their work, to the common wealth. My recent observation of the experience of some of our sister cities, in this direction, has but confirmed my convictions as to the wisdom of that measure.

#### ALMSHOUSE.

The economical and efficient management of this institution, for the year just ended, cannot fail to attract the attention of the Council. The following comparative statement, taken from the report of the Trustees of the Poor, now before me, evidences three distinct facts, which will doubtless interest (though from

different considerations) the reluctant tax payer and those whose highest gratification consists in the reflection that the wants of the indigent are being promptly met and their sufferings alleviated :

Average number of inmates for the year 1867.....	689	7-12
“ “ “ “ “ 1868.....	730	10-12
“ “ “ “ “ 1869.....	704	5-12
“ “ “ “ “ 1870.....	657	2-12
<hr/>		
Gross annual expenses for the year 1867.....	\$95,683	11
“ “ “ “ “ 1868.....	78,055	96
“ “ “ “ “ 1869.....	67,308	01
“ “ “ “ “ 1870.....	61,651	72
<hr/>		
Cost <i>per capita</i> for the year 1867.....	\$138	75
“ “ “ “ “ 1868.....	106	82
“ “ “ “ “ 1869.....	95	55
“ “ “ “ “ 1870.....	94	82

It will be seen, from this statement, that the annual average number of inmates of Bayview Asylum has steadily diminished during the last three years, and that the gross annual expenses of the institution, as well as the *per capita* cost of the support of the inmates, have rapidly declined in the last four years.

The gross cost of maintaining the Asylum, for the year just ended, being \$61,651 72, shows an economy of \$5,656.29 as compared with the cost of 1869, \$16,404 24 as compared with that of 1868, and \$34,031 39 as compared with that of the year 1867.

There were drawn, however, during the year only \$59,000 of the appropriation made for the use of the institution, thus leaving an undrawn balance of \$6,000 in the city treasury, to the credit of said appropriation of \$65,000.

Though our city has much reputation for the generous hospitality and personal benevolence of its citizens, it has become painfully evident to me, since my official duty has constrained an inquiry in this direction, that Baltimore does *not* compare favorably with some of her sister cities in regard to establishments, having proper modern appliances for the care of the deserving poor and for the beneficial discipline of the idle and de-

inquent. And, while this is truly explicable, to some extent, by the very character of our people, which prompts that almsgiving of the right hand, inculcated in the *great sermon*, which shall be unknown even to the left, yet, when we recognize, as public observers, whose duty it is to secure the greatest possible good to the entire community, how much more could be accomplished by organized, systematic public effort, exerted in the most improved methods, that science and experience have devised, we can but regret that our city has not more nearly kept pace with the *most advanced* cities of the country, in those respects.

The Trustees report that the institution still suffers greatly from an inadequate supply of water, on the main and upper floors. Their predecessors supposed that this difficulty had been effectually removed, by the placing of a large iron tank in the garret to be used as a reservoir for water; and, impressed with their conviction, I had the pleasure to congratulate the Council, in my last annual message, upon the accomplishment of that most desirable result. The Board, discovering this grave embarrassment in the way of securing that cleanliness, so essential to the proper conduct of the Asylum, and observing that the *one* tank afforded *partial* relief, immediately after their installment in office, ordered another to be placed in the opposite end of the garret. Still, however, the supply of water falls much short of the every-day, actual wants of the inmates, and it is now believed that the only means of effecting a thorough remedy of this difficulty, is by enlarging the present "supply main." This, together with other improvements desired in the condition of the Asylum, including the important one of ventilation, has already, to some extent, engaged the attention of the Council.

The Water Board will forward to you, in a few days, a special communication upon the subject of the water supply.

The sanitary condition of the institution has been good, during the last seven months. Simultaneously with its appearance at the City Jail, in the month of February, the typhus fever developed itself at the Almshouse.

It was of very malignant type, requiring the greatest caution to prevent its general spread through the institution.



There were one hundred and twenty-five cases of this disease—105 among the sane paupers and 20 among the insane—of which twenty-nine were fatal. This is believed to be, considering the previous condition of the invalids, some of whom were sent direct to the Almshouse, with the disease upon them, an exceedingly small rate of mortality, compared with that usually induced by typhus fever.

In order to be prepared for the treatment of this, or other contagious disease, the Trustees wisely constructed two additional pest-houses, with complete arrangements for ventilation, at a cost of \$1,046.88.

#### HOUSE OF REFUGE.

This Institution continued to add, during the year, to the good influence which, from its foundation, it has disseminated through the State. The measure of progress that has marked its administration, in the last twelve months, may be thus comparatively indicated:

Total number of inmates	December 31, 1870....	2,112
“ “ “ “ “	“ 1869....	1,981
Increase.....		131
Total present	December 31, 1870.....	358
“ “ “ “ “	“ 1869.....	259
Increase.....		99

In this manifest improvement the city of Baltimore shares quite largely, and that fact should, as heretofore, entitle the “Refuge” to the attention of the Councils.

#### THE HUMANE AND BENEVOLENT INSTITUTIONS,

in which you habitually manifest much interest, on account of the permanent good they accomplish in the city and in the counties of the State, have continued to add to their several claims upon the fostering care of the public authorities, as is apparent from their reports that have reached me, marking increased usefulness, rendered the public during the year.



The Managers of the "Boys' Home" have recently purchased of the city the property in Calvert street, known as Simon's Hotel, with the view of enlarging their capacity of doing good. They provide comfortable homes for homeless boys, between the ages of ten and twenty years, find them work, teach them the rudiments of education, and help them, in the language of the charter, "out of vagrancy and ignorance to rise up into a better life of virtue, industry and usefulness." The "Home" now has room to accommodate from 100 to 125 boys.

We learn from the Agent of the State Mute Asylum, for Baltimore, that the beneficiaries of that institution, from the city (41 in number) are doing well. It is seen by the 6th section of the act of incorporation of the Asylum, passed March, 1867, that the indigent mutes of the city, in common with those from other portions of the State, shall be supported and educated in the institution, free of charge. As the Agent informs us, then, there is really no legal necessity for an appropriation by you for that purpose. But for contingencies of travel to and from Frederick, &c., there is need of some increased supply of funds. The proper care of these unfortunate ones, I am sure, will always engage the attention of the Councils.

#### ST. MARY'S INDUSTRIAL SCHOOL

is, by the moral, mental and muscular culture that distinguishes its discipline, adding a large quota to the general good, to which I have referred. The number of boys at present in this school is 119. The expenses of the institution were less than the receipts by \$3,003.30, showing increased utility and economy in its management, during the year.

#### THE MANUAL LABOR SCHOOL

also contributes largely toward making intelligent, self-sustaining young men, who, carrying away with them the practical knowledge of farming, the industrious and honest habits acquired under its teaching, into the pursuits of manhood, will, in their contribution to the general wealth and the salutary influence of their well-ordered lives, render back to the public far more than they have received.

There are other institutions among us, whose common object is *charity and reform*, and which have, therefore, like those I have mentioned, usually found favor with the Councils. In the promotion of *that object*, I commend them also to your reasonable attention.

THE PATAPSCO RIVER AND HARBOR COMMISSION.

accomplished much work during the year. One million six hundred and nineteen thousand, three hundred and fifty-two cubic feet of sediment were removed—chiefly from the channel, outside of the harbor—within the last six months, and a very considerable quantity, previously thereto. The receipts and expenditures of the Commission during the year were as follows:

Receipts from State Comptroller on account of auction duties	\$11,876 31
Receipt, per appropriation by the city	15,000 00
Expenditures	\$26,876 31
	23,482 62
Balance undrawn	\$3,393 69

JOSEPH JANTROCKI, M. D.  
PORT WARDEN.

The report of this officer, herewith transmitted, of the operations of his department for the last six months of the year, (during which only it has been under his direction,) furnishes indications of greatly improved activity and discretion in its management.

There have been removed, from the harbor and the Spring Garden channel, one hundred and sixty-five thousand two hundred and twenty cubic yards of sediment, which, at the price the city charges private individuals for removing such, (36 cents per cubic yard,) would have cost fifty-nine thousand, four hundred and seventy-nine dollars and twenty cents. A portion of this mud, or sediment, has been deposited at the Marine Hospital, but the larger part, perhaps, has been placed inside the sea wall, below the Hospital, where, in course of time, as these deposits shall be accumulated and effectually restrained from

retiring into the channel, will be made valuable wharf and warehouse sites, to meet the future demands of our increasing port uses.

With the view, also, of making available water front for the requirements of commerce hereafter, and of preventing present and immediate recession into the channel, the large bank which had been formed at the Marine Hospital landing, by similar deposits, has, for the most part, been rolled back and levelled, making good solid ground.

The sea wall, above mentioned, has been urged rapidly forward toward completion. The good results of its erection have already become manifest. The sediment, taken from our harbor and channels, is now deposited behind this permanent barrier, and returns not again to be taken up and carried back to the place whence it receded.

The work of deepening our harbor and channels is certainly one of grave importance. Considered, indeed, in the light of the facts, that we claim—and justly too—high rank as a commercial city, that many of our leading, public-spirited citizens are using their best efforts to attract the attention of European capital and enterprise to the superior advantages which Baltimore enjoys—fitting her to become a first-class port of entry—by reason of her central position on the Eastern coast of the country, and her proximity to the great and growing interior and western sections, and that the producers and merchants of those sections are giving, every day, increasing practical evidence of their appreciation of those advantages, I know of no duty that has a paramount claim upon the diligent care of the city authorities.

The Harbor should be made capable of containing, without embarrassment to each other, a larger number of vessels, and vessels of heavy draught. Recognizing *this*, the Port Warden has, for some time, had two machines at work, cutting away the flats on the South side of the basin, extending from Fardy's ship yard to the City Yard. This is a vast accumulation, or deposit, made by the flow of Jones' Falls into the basin, about three hundred and fifty yards long, and one hundred and fifty wide. At low water, it has only an average depth of from two to six feet, and must greatly impair the value of



the entire water front on that side of the Harbor. The labor of removing this deposit is immense, and experience has demonstrated that it can never be said to be finished, so long as this stream continues to discharge its waters, turbid with the washings from the extensive water shed, traversed by it, and from the city, into the harbor; and but for the hope, indulged in, of finally utilizing the Falls for the purposes of commerce, by so deepening their channel, as practically to extend the water front of the port up into the heart of the city, and thus enabling us to reap some compensation for so great an evil, *this ever recurring toil* would leave no doubt in my mind as to the true economy of diverting them, altogether, from the city.

The questions of "diversion" and "improvement" of the Falls have had the grave consideration of experts in engineering and the earnest legislative attention and judgment of the councils, and it is not my purpose, therefore, to utter an official opinion upon the subject, having only incidentally referred to it, in its unfortunate effects as above mentioned. Still, in common with every one who has the interest of the city at heart, I feel that

"If it were *done*, when 'tis done, then 'twere *well*  
It were done *quickly*."

It is proper, however, as a matter of public interest, that I should inform you that, on the 17th day December last, Mr. Henry Tyson filed, with the City Register, the adopted plan, working-drawings, and specifications for the improvement of the channel of Jones' Falls, in pursuance of an ordinance of the Mayor and City Council, approved November 19, 1870.

The work in the harbor will be prosecuted, during the winter, with all the machinery under the control of the department, as rapidly as the weather will permit, and as soon as the spring opens, the Port Warden will begin to remove the flats between the fort buoy and the fort, thus widening the channel, at that point, from 300 yards (its present width) to 450. The middle grounds will also receive his early attention.

The report, in hand, contains several important suggestions, to which I will not refer in detail, but which I beg to commend to the special consideration of your committee on harbor. Of two of them, however, because of their immediate con-



cern to the public, I cannot refrain expressing my earnest approval: The State ice-boat, Chesapeake, has been blown up and utterly destroyed. There is not a public steamer, now connected in any way with the port, having sufficient power to keep our harbor and channel free of ice. The Port Warden believes that an iron boat, of 400 or 500 tons, could be built for about \$100,000, which would be capable of rendering as efficient service as the late Chesapeake. In view of our large and increasing commerce, such a boat is a necessity which should be at once supplied. I am aware, as the report before me remarks, that much inconvenience has sometimes arisen from the uncertain and irregular definition of the Port Warden's lines. With the view of obviating *this*, and of extending said lines, I earnestly recommend that the harbor be re-surveyed and platted.

From the comprehensive understanding of the character and wants of our harbor, manifested by this officer, and the results thus far accomplished by him, I have the pleasure to congratulate the Councils on the prospect of decided improvements in the future.

#### HARBOR MASTERS.

The receipts for the years 1869 and 1870, through these officers, compare thus:

Aggregate wharfage and tonnage for 1869.....	\$57,840 50
“ “ “ “ 1870.....	55,094 01
Showing decrease of.....	<hr/> \$2,746 45

The more considerable source of this revenue to the city—to wit: the *tonnage* duties—will cease to exist on the first day of March, next, by expiration of the special port-tonnage law, pertaining to this port.

#### THE MARKETS

manifested some decrease, also, in returns, during the year, as compared with 1869:

Aggregate receipts in 1869.....	\$50,730 48
“ “ “ 1870.....	48,777 08
	<hr/> \$1,853 40

In neither of these cases is the falling off chargeable to relaxed official attention, so far as I have been able to learn.

### PUBLIC SCHOOLS.

It gives me great pleasure to observe, from the statistics of our Public Schools, now before me, that they have continued in their course of good, presenting us at the end of the year increased numbers of pupils on their rolls:

No. of Pupils.	No. of Schools.	No. of Teachers.
1870-71... 25,083	121	570
1869-70... 23,913	119	558
Increase.. 1,120	2	12

Believing, as I have heretofore expressed, that the great conservator of that broad spirit of toleration, which distinguished the men that made the beginning of this community, and which has been characteristic of our people, through all their history, is education among the masses, my interest in our system of Public Schools cannot be abated, while they continue well adapted to the wants of the entire people. They are thorough in instruction, and, in the effects of their discipline, admirable. The efforts of those, who are officially connected with them, have seemed to me uniformly, well directed, to produce the best possible results. The "grade" feature makes a valuable auxiliary, both of the literary and disciplinary parts of the system.

I desire, above measure, to see no part of the system languish. The thorough working of all the parts is essential to the excellence of the whole. By all means, then, let men, who are earnest in their devotion to the great object of these schools, who can and do understand that their leading purpose is to sow the seeds of virtue and substantial usefulness among the young, that they may be prepared to acquit themselves, with honor, in their varied stations in life, be always selected as School Commissioners, in order that the parents of the community may continue to have unabated confidence in the persons, selected to hold the intimate relation of teachers to their children.

I beg to point your attention to one part of the system—the Baltimore City College—which, from my own observation, as

well from the representations, made to me by members of the School Board, I fear, has greatly languished for some years, on account of its very meager and wretched accommodations, and to recommend that an appropriation be made to erect a suitable building for its use.

The widening of Madison avenue to the width of the way, to which reference was made in my last annual message, as having been completed, was a very gratifying item in the summer.

In connection with this subject, it gave me pleasure, in my last annual message, to remark, from the report of the trustees then before me, that the increment of the McDonogh fund, during the year, had been \$103,598.30, and that the sum then in hand was \$626,339.26, giving a surplus, over the \$500,000 required to be permanently invested, of \$126,339.26 to devote to founding an agricultural school, in which many of the indigent youth of Baltimore might be made intelligent farmers.

The report of the condition of the trust, for the year just ended, shows that the total fund now amounts to \$663,865.95, and that the working capital has been augmented to \$163,865.95. Though the benevolent design of the creation of this fund has not yet been practically developed, we have, in this steadily increasing surplus, reasonable ground of hope that the time is not remote, when some of the worthy young men of Baltimore will be moved, by the actual benefits they have received, to honor the memory of John McDonogh.

The trustees inform us that they will probably make selection of a site for a farm school, in sixty or ninety days. The agent reports that the condition of the interests of the trust, in the State of Louisiana, is very satisfactory.

With its ample grounds and buildings, and with its power, be to them, as to those who are enabled to enjoy it, the full rival of the noble auxiliary of the Sabbath School.

The report of the Public Park Commission exhibits very satisfactory skill and industry—a judicious application of the means, at their disposal, for the improvement of both of these places of popular resort.

The completion of Druid Lake is dwelt upon as adding greatly to the attraction of Druid Hill Park. Graceful in form, and of admirable construction, this great reservoir, with



its elegant drive, passing as a broad zone entirely around it, will form a feature in this park, at once surpassingly beautiful and *unique*.

The widening of Madison avenue to the width of the gateway, to which reference was made, in my last annual message, as having been undertaken, was completed during the summer, in the most thorough manner, making not merely a marked exterior improvement, but, as securing the visitor to the park against optical and mental irritation from the dust that formerly opposed his approach along this road, and leaving him in good condition to enjoy the beautiful that awaited him, it may be said to have practically enhanced the loveliness of the landscape within.

For further details of improvement, effected by the Commission during the last year, I beg to refer you to their report, herewith presented.

The importance of steps being taken, at once, to enlarge the bounds of Patterson Park, formed the subject of a special communication from me to the Council, in May last. This measure seems to be due to the inhabitants of the eastern portion of the city, not in the sense of equalizing their claims upon the public consideration, with the acquired or supposed advantages of any portion of their fellow-citizens; but in view of the large number of industrious working people among them, who, far more than persons of different habits, *need* these delightful places of rest and recreation, when the day's labor is done, and of the comparative *remoteness* of Druid Hill Park, which, with its ample grounds and beautiful scenery, would otherwise be to them, as to those who are enabled to enjoy it, the powerful rival of the physician, and the noble auxiliary of the preacher and the Sabbath School.

The propriety of moving *at once* in this matter was further apparent to me from the fact that the eastern section of the city is being rapidly built up. Soon houses will be erected, and streets laid out upon grounds which, for this most desirable purpose, might *now* be secured at comparatively low rates, but which could not *then* be obtained at all.



The proposed change of depot, by the Northern Central Railway Company, to the Lanvale property, north of the Falls, and east of Charles street, is likely to be followed by the erection of a class of buildings on the south side of the Falls, immediately opposite, in every way calculated to mar the beauty of that rapidly improving section of our city, and to seriously affect the taxable value of adjacent property, as also, to more or less, impair the value of the real estate, held for the city, by the Water Board. To prevent this, a suggestion has been made and received with general approval, which, I think, calls for your most favorable consideration. It is that the city shall acquire title, either by gift or purchase, of the land lying along the south side of the Falls, and bounded by Charles, John and North streets, and convert the same into a public square or garden, which will be in easy access of thousands of our citizens, who are unable to reach either Druid Hill or Patterson Parks, during the heats of summer. The location of this square would make it accessible from the east as well as the west side of the Falls, by two lines of street cars, besides being within comfortable walking distance of a very large population. Indeed it is directly along the street bounding this proposed square, that thousands of our citizens throng for pleasure and recreation.

Much of the ground, within the proposed area, is so unsuited to the building of any kind of permanent structure, and would involve so costly a wall along the Falls, to fit it for building purposes at all, that it is believed that the city could acquire title to it at very reasonable rates.

Such an improvement would be a great blessing to our people, and add largely to the assessable value of the adjacent property. Besides which, the city would receive back, in the enhanced value of the real estate, held by the Water Board, a large part of the outlay.

As tending in the same good direction, the public squares of the city should be extended and embellished, whenever it is consistent with our means to do so. Battery Square, because in the extreme southern portion of the city, very remote from both the Parks, and in the midst of a dense population, demands your public attention in regard to extension and adornment, much more imperatively, in my opinion, than any of our public grounds.

I have felt the more solicitous upon this subject of parks and squares, not only from the consideration that the advantages accruing from them are great beyond conception, especially to crowded and hard-working populations; but from the further fact, that *only* as they are *multiplied*, and made *accessible* to the *multitude*, is the wisdom or sound policy of founding them, at the *public expense*, vindicated. He who should place one of these breathing spots—these oases—within easy access of every laboring man and his family that, during the summer months, suffer among our artificial deserts of brick and mortar, would be a benefactor indeed!

I cannot conceive a more imperative duty, imposed upon those who have the public good committed to their hands, than that of establishing and maintaining these places of resort, which promote, at once, the physical health of those who frequent them, and the sound morality of the entire community.

I am aware of the constitutional and legal barrier, at present precluding the city from going forward to purchase the contiguous lands to Patterson Park, and the Charles street location for the improvements, to which I have referred; but steps should be taken, early after the convening of the General Assembly, to remove these difficulties.

#### NEW CITY HALL.

This building has now assumed an appearance, attractive both to our home people and to the stranger, visiting us from other cities, in search of information of public import.

The President of the Building Committee has voluntarily given me the following information, in advance of his report to the Council:

Cost of Hall to "December 31st, 1870—\$714,209.39. It is believed that the building will be in such a state of forwardness, as will enable the Committee to commence the roofing of the same, by the month of September or October, 1871."

#### MAYOR'S OFFICE.

The increased clerical duties of this office have made it necessary to employ the messenger in the capacity of clerk, and

the janitor in that of messenger. It is proper that this, like other of our public acts, should be in conformity with law. I have, then, to recommend that the office of "clerk to the Mayoralty" be created by ordinance, and that the duties of messenger be devolved upon the janitor.

#### POLICE DEPARTMENT.

Good order has continued in our midst. There have not been, that I am aware of, disturbances of the public peace, approaching, even remotely, the conditions of riot. License will, sometimes, go in advance of law, even among an orderly people like ourselves, if the practical guardians of the law, but for awhile, relax their vigilance. We have transacted our daily duties without molestation, and have slept by night in safety—thanks to the Police of Baltimore! They deserve the consideration of the municipal authorities, and the confidence of our private citizens. The Commissioners have, always kindly and promptly, responded to requests made by me, in promotion of the public interests.

#### INTERNAL IMPROVEMENT.

The great impulse which this modern engine of trade and travel—the steam railway—has given to the development and utilization of the varied resources in nature, that contribute to the wealth of nations, has imparted to it a dignity and importance which challenge the consideration of every person at all interested in any of the complex industries of life. In a special manner do the roads, that convey to us the rich freights which they gather from the harvest fields and mineral deposits of the extended region traversed by them, in almost every direction, to swell the revenues of our merchants, and to quicken the activity of our manufacturers, lay claim to *our notice*, when considering the actual "state of the city."

I need not consume your time by a reference to the contribution they *have* made toward the prosperity of Baltimore, for that is matter of trade-history, whose record is traced, in some sort, upon the journals and ledgers of, perhaps, every commercial house among us.



I propose, however, as pertinent to our duty, to consider, briefly, the facilities or powers *recently acquired*, which will enable some of them to add, largely, to the tribute they are daily making to the general wealth, and also, the reasonable prospects of some, which will, in early fruition, surely redound to our benefit; for, though *prospective*, these may properly form elements in the estimation of the *present* condition of the city. First, then, because of its superior importance, I will invite attention to the great northwestern arm of the Baltimore and Ohio road, now on the eve of completion—

#### THE PITTSBURG AND CONNELLSVILLE RAILROAD.

It will be remembered that, by the Ordinance of 1868, postponing the mortgage, which the city holds upon this road, to secure her loan of \$1,000,000, in favor of parties, who might be willing to lend the Pittsburg and Connellsville Company the sum of \$4,000,000, for the purpose of completing their road, it was provided that "the arrears of interest, together with the interest and the interest thereon," then "due, as well as the interest and the interest thereon, that" might "accrue and remain unpaid from" that "time to the 1st day of January, 1871, on the bonds of the city of Baltimore," &c., were directed to be funded, and that, upon this original loan of \$1,000,000 and the said funded arrears, as a new principal, "on the 1st day of January, 1871, or sooner, if the said Company" should "sooner declare its readiness to commence the payment of interest," it should pledge itself, under proper form of agreement, so to do, semi-annually thereafter, according to Ordinance, approved, June 10th, 1856.

In view of the rapid approach of the period, at which these provisions were to ensue, early in the month of December last, I visited Pittsburg, and with Mr. Hughart, the President of that Company, and several of its Directors, passed over the larger portion of the road, in order to satisfy myself as to its ability to resume the discharge of its obligations to the city. Observation convinced me that, in a few weeks, the trains of the road would reach us—passing from its northwestern terminus, through Connellsville and Cumberland, and thence, by the Baltimore and Ohio Road, to Camden station and Locust Point, its marine terminus.



Merely as a local road, the Pittsburg and Connellsville has rich resources—in the coal fields, and their products of coke, petroleum, and probably the finest gas coal on the continent, in the sandstone and clay for the manufacturing of glass and pottery, equal to any in the country, in the yield of the iron mines, which, like those of coal, seem to underly almost the entire surface of the country, traversed by it, and in the varied agricultural products of that fertile and singularly grand and beautiful region—which, in a short time, will enable it to meet all its moneyed obligations, and become a large dividend paying corporation.

It is apparent to me that my former impressions respecting the beneficial influence to be exerted by this road, through the Baltimore and Ohio, upon the growth of our city, by means of its local trade and travel, fell far short of the result which will be realized, early after its completion. Those impressions, in the light of the additional fact, of which I have seen abundant evidence, that it is destined to become a link in a great through line, from Chicago to Baltimore, have ripened into a conviction that the part to be contributed by it to our future prosperity, has not been, until recently perhaps, fully apprehended, even by its most experienced and sanguine friends.

It will be matter of high gratification to our fellow citizens, to learn that this enterprise is spoken of in Chicago and Pittsburg, and along the lines contemplated for its consummation, with a degree of enthusiasm that gives earnest of the fixed resolve of the merchants and producers of those wealthy communities, to avail themselves, *at once*, of *this*, their shortest possible route to tide-water

Indeed, we are assured that the right of way for this extension, from Pittsburg to the boundary between Pennsylvania and Ohio, is being rapidly secured, and that there are several competing routes for the line thence to Chicago, which possess peculiar advantages. It is thought that these will be carefully considered, and the work pushed forward to an early completion.

Pursuing the Baltimore and Ohio road to Parkersburg, and Benwood, we find that, by means of its splendid new iron bridges at those points, and the control it has of the Marietta

and Cincinnati, and the Central Ohio, and other roads in connection with them, it has recently added, and is continuing to add immensely, to its power of facilitating the growth of Baltimore.

These improvements, consummated, and in certain course of consummation, will place this city *nearer* the whole West and Northwest, by an average of, at least, two hundred miles, than New York is by the lines, that now convey to it, vast quantities of the products of those regions. The economies of time and freight, which must result from this reduced distance, will certainly be availed of, to our advantage, and, if we present to the products, seeking the seaboard, equal facilities for shipping, and to the merchant, like opportunities for importing, to those offered by that great city, Baltimore will, ere long, become the market and port of entry for that entire region.

To the South and Southwest, however, we may look with greater assurance, though the prize of rich fruition seems more remote; for we can have no successful competitor for the trade which will be developed through the Virginia Valley and the Lynchburg and Danville roads—now temporarily delayed of completion—with our brethren of those fruitful sections.

In the year ending September 30th, 1870, there were transported over the Baltimore and Ohio road 1,219,638 tons of coal; and 840,390 barrels of flour were carried during that period, being an excess over the quantity of the year before of 310,341 barrels. This, and similar expressions of usefulness, must continue vastly to increase under the influences to which I have referred.

#### THE NORTHERN CENTRAL RAILWAY,

in the meantime, has not been idle. It is making very great improvement in its route, entering the city. This is progressing rapidly, and will, probably, be opened for use by the middle of April next. Its construction in masonry, iron bridges, and roadway, cannot be surpassed. In these, we understand, the following amounts have already been expended:

For real estate.....	\$315,000
In construction.....	610,000
	<hr/>
	\$925,000

The aggregate net tonnage brought to the city during the year, over its lines, was 471,206, against 408,597 in 1869, showing an increase of 62,609 tons. Its freights of coffee, &c., from Baltimore, off into West Pennsylvania and beyond, are immense.

These are some of the advantages of this road; but greater than these are the general results of the *competition* it induces.

#### THE WESTERN MARYLAND ROAD

is pushing rapidly forward to the coal fields and iron mines, in the richest agricultural portion of the State, and will soon add largely to its already considerable local trade. The influence that this road is destined to exert upon the manufacturing interests of the city—and especially at Canton and in the eastern section, through the rich coal and iron, to be made cheap by their abundance—is incalculable. Besides, the intimate relations established between the tier of counties, traversed by it, and Baltimore, will be productive of reciprocal benefits, other than those resulting from trade merely. The citizens of each will become to understand, practically, that they form parts of one political community, and that there should be no temporary conflicting interests, working estrangement.

#### THE BALTIMORE AND POTOMAC ROAD

will be in active running operation between Baltimore and Washington and Baltimore and Upper Marlboro, it is believed, by early summer. The tunnel, by which it will pass into and through the city, will be commenced as soon as the weather opens in the spring. This road too, will bring the city into intimate connection with wealthy counties of the State and convey to us considerable local trade and travel.

#### THE UNION RAILROAD COMPANY OF BALTIMORE

reports that work upon that portion of the road, between Charles street and tide-water, has been begun. Sufficient funds for its completion having been guaranteed by the Canton Company. This railroad company is showing just appreciation of the great value of the road to the industrial interest of the city. Its value to the other roads coming to Baltimore, in taking their freight to tide-water, at Canton, will be very great.



## THE MARYLAND CENTRAL ROAD.

It will be remembered that this road came before the Councils, last winter, asking for a subscription of \$400,000, and that an ordinance was passed and ratified by the General Assembly and popular vote of the city, guaranteeing its bonds, to the extent of \$600,000.

The friends of the road have since been at work, endeavoring to raise, in Harford and Baltimore counties, the *subscription* necessary to make the city's *endorsement* available.

The energy and earnestness manifested by them, give me, personally, I confess, the assurance of its success. And the pleasure we derive from *this*, because of its future local value to the city and to the fruitful section through which it passes, is, I doubt not, much enhanced by the consideration that it is a Maryland road.

## CONCLUSION.

In this review of the workings of the various departments of the city government, for the year just ended, we have seen that their inner management has, in the main, been characterized by that improvement, which is the natural outgrowth of longer experience in office and increased familiarity with the peculiar circumstances that tend to promote their success.

The *results* of those, which most distinctly indicate the general prosperity of the community, have *not* compared *favorably* with the results of the same for the year before. This indication, as we severally know from our personal experience, is true. Indeed, for the last two years, trade of all sorts, has been growing more dull. It is not our business to discuss here the reason of this, but, being beyond our control, we may be allowed to leave its consideration—and, with proper gratitude to God for the increased morality of our people, and for the measure of prosperity which He has vouchsafed us, look forward to that future, whose elements of strength I have indicated, and which, if Baltimore be only true to her interest, will make brilliant compensation for this temporary inactivity.

ROBERT T. BANKS, *Mayor*.



Mr. Johnson moved that a message be sent to the Second Branch, proposing that a joint special committee of three from each Branch be appointed to properly distribute the message of the Mayor to appropriate committees.

The Chair named as the committee on the part of this Branch—Messrs. Johnson, Price and Smyrk.

Mr. Johnson moved that 1500 copies of the Mayor's message be printed in English, and 1000 copies in German, which was adopted.

Mr. Torsch, from the Joint Standing Committee on Markets, submitted the following report and resolution, which were read :

The Joint Standing Committee on markets, to whom was referred the resolution appropriating the sum of two thousand dollars for the purpose of completing the equipment of the Cross street Hall, respectfully report, that they have investigated the subject, and believe that an appropriation should be made, but in their judgement the sum of \$2000 is more than is required for the improvement. The committee, therefore, submit the following resolution, and respectfully ask its adoption.

JOHN W. TORSCH,  
THOS. P. KERNAN,  
G. MORRIS BOND,

*First Branch.*

DANIEL CONSTANTINE,  
WM. H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the sum of \$1500, (fifteen hundred dollars), or so much thereof as may be required, be appropriated to fur-

nish and complete the equipment of Cross street Hall, the same to be taken out of the levy of 1871.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed, to remove the pump stock from the corner of Fell and Thames streets, the expense of the same to be taken out of the appropriation for pumps for 1871.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

Mr. Trippe offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the clerk of this Branch be requested to draw from the files of the Register's office, the petition and accompanying documents of E. Neurath and others, respecting the widening of Park street.

Mr. Smyrk offered the following resolution, which was read and adopted :

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Resolved by the First Branch of the City Council of Baltimore, That the clerk of the Branch be directed to withdraw from the files of the City Register the papers in relation to the opening of McElderry street, from Broadway to Regester street.

Mr. Kernan offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized

and directed to remove the old pump stock on Greenmount avenue, between Madison and Monument streets.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

Mr. Weaver offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That his honor the Mayor be, and he is hereby, directed to appoint an additional lamp-lighter for the Western District, if in his judgment said appointment is deemed necessary.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, January 23, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your message to appoint a joint special committee of three from each Branch, to distribute the matter in the Message of his honor the Mayor to appropriate committees, and name on the part this Branch—Messrs. Duke, Kerr and Milroy.

By order, .

GEO. T. BEALL, Jr., *Clerk.*

The President introduced an ordinance entitled "An ordinance empowering William Wilkins, John C. Holland, Robert T. Baldwin, Frederick Wehr, H. H. Grane, Jacob Poplar, Jno. Henderson, Chas. J. Baker, Wm. Bond, Frank Frick, C. Morton Stewart, Chas. Weber, and those who are now, or may hereafter become, associated with them and their assigns, to build and lay down tracks on Wilkens avenue, Lombard street, Pratt street, and other streets, for a passenger railway, which was read, and

On motion of Mr. Trippe, was referred to the Joint Standing Committee on City Passenger Railways.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Tuesday, January 24, 1871.

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The Branch met pursuant to adjournment.

Present, GEO. W. BISHOP, Esq., President, and all the members, except Mr. Crout.

Mr. Bond offered the following resolution, which was read :

Resolved by both Branches of the City Council of Baltimore, That from and after the passage of this resolution, no expenses incurred by any Committee of this Council shall be presented to the City Register, or paid by him, until payment of the same shall have been ordered by a resolution of that Branch of the Council to which such Committee shall belong, or if a joint committee, by a resolution of both Branches.

On motion of Mr. Trippe, the resolution was read a second time, by special order.

Mr. Torsch offered the following amendment, which was read :



Add at the end of the resolution, "and further, that a committee of ten citizens, from every two wards, be selected by the Mayor and City Council to consider the expenses incurred by the different Committees of the two Branches whilst on their respective duties."

Mr. Randall moved that the resolution and amendment be referred to the Joint Standing Committee on Ways and Means.

The question being on the motion to refer, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Price, Sommerlock, Randall, Johnson, and Weaver—12.

*Nays*—Messrs. President, Mills, Torsch, Bond, Berry, Freeberger, and Ehlers—7.

The motion to refer was declared adopted.

The President presented the following communication, which was read :

OFFICE OF THE BUILDING COMMITTEE,  
NEW CITY HALL,

Baltimore, January 24th, 1871.

*The Honorable the Mayor and  
City Council of Baltimore :*

The undersigned, the Building Committee of the new City Hall, have the honor to submit their annual report for the year ending with the 31st of December, 1870.

The following sums have been expended by them during the year, and for the objects specified, viz. :

For marble work.....	\$233,517 42
“ bricks.....	17,936 29
“ brickwork.....	9,750 37
“ cement.....	9,313 32
“ iron work, hardware and spouting.....	25,435 06
“ lumber.....	4,332 05
“ carpenter's work.....	5,484 75
“ sand and lime.....	936 23
“ painting.....	106 40
“ advertising.....	204 27
“ rent.....	750 00
“ insurance and wharfage on lumber.....	702 76
“ hauling dirt, &c., away from build'g.....	625 24
For salaries, architect's commission, measurement of work, pay of watchmen, laborers, &c.....	12,654 59
“ carving of models for marble work.....	350 00
“ miscellaneous.....	333 20
Making in the gross.....	<u>\$322,431 95</u>
From the above gross sum should be taken the following amount, which was deducted from the bills of contractors for old materials, barrels, &c., sold to them.....	<u>3,027 85</u>
Which shows that the actual amount for which drafts were drawn on the City Comptroller was.....	\$319,404 10
Deduct from this last named amount cash received by the committee during the year, from rentals and sales of old materials, and paid over to City Register.....	<u>609 65</u>
And it will be seen that the net aggregate expended for the year was.....	\$318,794 45

They are gratified in being able to report that nothing, save an occasional scarcity of quarried marble in the rough, has occurred during the year to interfere with the progress of the building. Many more than the usual number of hands have been employed in working out marble, and set-

ting the same, and the brick, and the carpenter's work, as well as every other department of labor on or about the building, has been as expeditiously performed as the condition of the marble work would admit of. The progress of the entire work has been quite as great as the undersigned could have expected, and it is believed, by the month of September or October of the current year the roofing of the building will be commenced.

The reported enormous expenditures in the construction of large public buildings in other cities have, doubtless, awakened in the minds of many of the citizens of Baltimore apprehensions that the erection of the new City Hall will be marked by a similar result, and conjecture has been somewhat busy in placing the expense of erection at amounts far overreaching the anticipations or expectations of the undersigned.

In this connection they have to say that, when the contracts for roofing the building and constructing the dome shall have been entered into, which will doubtless take place in the current year, the committee will be able to make an approximating estimate of the entire cost of the building.

Judging partially, however, from the amount of work already executed, and the cost at which it has been performed, and assuming that to the completion of the building the ordinance of 1868 will be adhered to with integrity, it is their impression that it will be constructed as economically as any public building of similar capacity, style and materials, in the United States.

The committee believe it to be due to the responsible trust you have imposed upon them to report to you from time to time, and through you to the people of Baltimore, the cost of the building as it progresses.

In view of this consideration they present the following statement, exhibiting the disbursements on account of construction from the time the excavation of the ground commenced, up to the 31st of December, 1870.





The reports of the City Comptroller and the City Register will probably exhibit an amount charged to City Hall greater than the foregoing, for the reason that these officers debit it with items that do not come under the control of the Committee, and which, although the Committee do not question the legality thereof, do not belong to the construction account proper.

The structure will cover an area of 35,462 square feet.

It will front on Holliday and on North streets 238 feet, and on Fayette and on Lexington streets 149 feet.

Its linear circumference will be  $842\frac{8}{12}$  feet.

The height of the dome, from the bed of Holliday street, will be 227 feet, and from the top of the roof 132 feet.

The diameter of the dome will be 53 feet at its base.

The height of the building, to the top of the cornice at the main entrance on Holliday street, will be 96 feet.

The average height, to the top of the cornice, at the wings and other parts of the building, will be  $65\frac{5}{12}$  feet.

The height of the upper part of the cornice will be  $8\frac{6}{12}$  feet above the line of marble now laid on the Fayette street front of the building.

The height of the Mansard roof, at the four corners or angles of the structure, will be 21 feet

The capacity of the building, when completed, will be for years far in the future, more than ample for the accommodation of every department connected with the city government.

Very respectfully,

Your obed't serv'ts,

JOSHUA VANSANT,  
J. H. PLEASANTS,  
SAMUEL H. ADAMS,  
ICHABOD JEANS,  
J. W. COLLEY.

Mr. Trippe offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That 500 copies of the Tyson plan and detailed drawings for the improvement of Jones' Falls be printed for the use of the members of the Council and public.

The following resolutions were returned from the Second Branch, severally endorsed "adopted:"

Resolution appropriating \$1,500 for the completing and equipping of Cross Street Hall.

Resolution for the removal of pump stock from the corner of Fell and Thames streets.

Resolution for the removal of pump stock on Greenmount avenue, between Madison and Monument streets.

On motion of Mr. Trippe, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Wednesday, January 25, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Ward and Crout.

Mr. Berry presented a petition from Marcus Denison and others, in reference to the improvement of Jones' Falls, which was read.

Mr. Bond moved its reference to a joint special committee, and withdrawing that motion, Mr. Bond offered a message to the Second Branch, proposing the appointment of two additional members from each Branch on the Joint Standing Committee of Jones' Falls.

The question being on the message, the President requested the calling of the yeas and nays, which resulted as follows :

*Yeas*—Messrs. President, Bruce, Mills, Kernan, Bond, Price, Sommerlock, Randall, Berry, Freeberger, and Ehlers—11.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Smyrk, Torsch, Johnson, and Weaver—7.

The message was ordered to be sent.

The Chair named as the committee on the part of this Branch—Messrs. Bond and Berry.

Mr. Torsch, from the Joint Standing Committee on Markets, submitted the following report and resolution, which were read :

The Joint Standing Committee on Markets, to whom was referred the resolution appropriating the sum of thirty-five hundred dollars, or so much thereof as may be requisite, to pave the new Belair Market-house, just being completed, with the Nicholson pavement, would respectfully report that they have fully investigated the matter, and believing the appropriation to be a proper one, recommend the adoption of the following resolution :

JOHN W. TORSCH,

THOS. P. KERNAN,

*First Branch.*

DANIEL CONSTANTINE,

JESSE R. OGLE,

WM. H. VICKERY.

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the sum of thirty-five hundred (\$3500) dollars, or so much thereof as may be requisite, be appropriated to pave the new Belair Market-house, now just completed, with the Nicholson pavement.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Trippe offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Committee on Ways and Means be instructed to investigate the expenses of the Committees of the Council, and recommend suitable measures to secure economy therein.

On motion of Mr. Trippe, the resolution was read a second time, by special order.

Mr. Bond offered the following substitute :

Resolved by the First Branch of the City Council, That the Comptroller be, and he is hereby, instructed to furnish this Branch with the names of all parties to whom payments were made from the Diary Fund during the year 1870, giving the amounts respectively paid each person, the dates of payment, the purposes for which the payments were made, so far as disclosed by the bills and vouchers in his possession ; also, the names of the Committees, or such members of them as may have authorized the payment of the same, the said information to be given in tabular form, if practicable.

The question being on the substitute, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Mills, Kernan, Bond, Berry, Freeberger, and Ehlers—7.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Torsch, Price, Sommerlock, Randall, Johnson, and Weaver—11.



The substitute was declared lost.

The question recurring on the original resolution, it was declared adopted.

Mr. Price offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the Commissioners of the Jones' Falls Improvement be requested to furnish to this Branch a statement showing the amount of work done and reported to the Commission, in the surveys of said improvement ; and also, the cost of the same, as shown by the bills paid by said Commission to the Surveyor ; and also, such further information as they may have of the number of assistants employed from time to time, from the beginning of the work to the present time.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

WM. H. COLE, *Clerk.*

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Thursday, January 26, 1871.

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The Branch met pursuant to adjournment.

Present, GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Mills and Ward.

Mr. Hudgins presented the petition of Thomas Kelly and others, Superintendent of Streets, asking an increase of salary, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Trippe presented the petition of Ernest Neurath for permission to erect a four inch and a half wall on Park

street, corner of Fayette street, and to extend his building line on rear lot the same distance, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bruce presented a memorial from the Managers of the House of Refuge, asking an increase in their annual appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Smyrk presented a petition from Henry M. Stayler and others, to open McElderry street eastwardly from Broadway to Register street, which was read and referred to the Joint Standing Committee on Highways.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, January 26, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, at 5 o'clock.

By order,

GEO. T. BEALL, Jr., *Clerk.*

The message was concurred in.

Mr. Crout stated that his absence from the Branch the past three days was unavoidable, and requested that his vote be recorded in favor of the resolution offered by Mr. Bond in relation to the investigation asked for as to the expenses of the various committees of the Council.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and resolution, which were read :

The Joint Standing Committee on Claims, to whom were referred the petition of John Scherer, asking that certain taxes paid by him in error, be refunded, have exam-

ined the subject, and find that the said taxes were collected upon mortgages made to secure balances of unpaid purchase money, and that said taxes were inadvertantly and illegally collected, and recommend the adoption of the following resolution.

BENJ. PRICE,  
JACOB H. FREEBURGER,  
*First Branch.*

J. I. GROSS,  
CHAS. G. KERR,  
FREDERICK COOK,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to John Scherer forty-five dollars and twenty-nine cents, (\$45.29), for taxes paid in error, out of any money in his hands not otherwise appropriated, provided a proper receipt is given therefor.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Michael Dwyer, for services rendered, have examined the claim, and find that said Dwyer served as watchman for twenty-one Sabbath days, and that it so appears upon the books of the City Comptroller, as also that he has never been paid for said service, whilst others engaged on the same labor were paid \$2.35 per day, and recommend the adoption of the following resolution.

BENJ. PRICE,  
J. H. FREEBURGER,  
*First Branch.*

J. I. GROSS,  
CHAS. G. KERR,  
FREDERICK COOKE,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized to pay out of any funds in his hands not otherwise appropriated, to Michael Dwyer, the sum of forty-nine dollars and ninety-eight cents, (49.98), for twenty-one days of services rendered to the city as watchman, at the rate of \$2.38 per diem, provided a proper receipt shall be given therefor.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Mrs. Virginia Sevier of Anne Arundel County, asking a return of certain taxes paid by the Baltimore Gas Light Co., have examined the subject, and finding that the said Company paid said taxes, believing the said Mrs. Sevier to be a resident of the city, and that the same were erroneously and illegally collected, recommend the adoption of the following resolution.

BENJ. PRICE,  
J. H. FREEBURGER,  
*First Branch.*

J. I. GROSS,  
CHAS. G. KERR,  
FREDERICK COOK,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to the said Mrs. Virginia Sevier, the sum of two hundred and forty-eight dollars and eighty-nine cents, (\$248 89), amount of taxes paid in error to the city, and that the same be paid out of any money in his hands, not otherwise appropriated, provided a proper receipt is given therefor.



On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

The President presented the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That no messages or public documents relating to municipal affairs shall be allowed to pass from the custody of the Chief Clerk, or from the office of the official printer to the city, until they have been laid in printed form before the Members of the Council, and are regularly open for distribution.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to have placed over the mouths of the sewers at the intersection of Windsor and Boston streets, iron plates, the same to be paid for out of any money in the treasury not otherwise appropriated.

On motion of Mr. Kernan, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to pay for the grading, curbing and paving of the intersection of John and Townsend streets ; of Adams and Republican streets ; of Adams street and Stockton alley ; of Adams and Carey streets ; of Thompson and Republican streets ; and of Thompson and Carlton streets, at the same price paid for the paving of John, Adams and Thompson streets by the property holders fronting thereon.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Mrs. Samuel Hoffman to construct a drain for the purpose of draining the water from her premises on the southwest corner of North Charles street and Franklin street, provided the same shall be done at her own expense, and in a manner satisfactory to the City Commissioner.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read.

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby directed, to have placed, over the water-way, on the north side of Eager street, between Valley street and Orble alley a cast-iron cover, the expense of the same to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

A report with accompanying resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby authorized and directed to have a pipe laid from the intersection of Patterson and Cable streets to Smith's Dock, to drain the water from Patterson street into said Smith's Dock, and that the sum of one hundred and fifty dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated for the purpose, the same to be taken out of the appropriation for highways for 1871.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to close the street on the south side of the Richmond Market, and open a street of corresponding dimensions on the south side thereof.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Highways, with the accompanying ordinance, were received from the Second Branch and read :

An ordinance to provide for the grading and paving of an alley twenty feet wide, running from Division street to Etting alley, about one hundred and ten feet southeasterly from Mosher street, and parallel thereto.

Whereas, by section 851, Article 4, of the Code of Public Local Laws of Maryland, the Mayor and City Council of Baltimore may, on application of the owners of a majority of feet in front of any private street, cause the same to be paved, and may impose upon and collect from all the proprietors of the property so to be paved, a tax sufficient in amount to defray the expenses thereof ; and

Whereas, application has been made by the owners of a majority of feet in front of an alley twenty feet wide, running from Division street to Etting alley, about one hundred and ten feet southeasterly from Mosher street and parallel thereto, asking that the same be paved, and the expenses thereof be assessed on the owners of the property binding thereon, and it seeming right and proper that such paving should be done as prayed ; therefore,

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have graded and paved an alley twenty feet wide, running from Division

street to Etting alley, about one hundred and ten feet southeasterly from Mosher street and parallel thereto.

SEC. 2. And be it enacted and ordained, That there shall be imposed and collected a tax sufficient in amount to defray the expenses of such grading and paving, which shall be assessed upon the proprietors of the lots bounding on said alley, in proportion to the number of feet held by them respectively in front or length, which said tax shall be collected as taxes levied for paving public streets.

SEC. 3. And be it enacted and ordained, That the City Commissioner and the City Collector shall do and perform all such duties in the premises as are required of them in Article 43, of the Baltimore City Code, in relation to the grading and paving of public streets. \*

SEC. 4. And be it enacted and ordained, That this act shall take effect from the date of its passage.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, the preamble and title approved, and the ordinance declared passed.

Mr. Trippe offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Committee on Health be instructed to propose an ordinance to prevent the sprinkling the streets of the city with salt to melt the snow or ice thereon, as such proceeding is greatly injudicial to the health of the citizens.

On motion of Mr. Weitzell, the Branch adjourned until Monday afternoon, January 30, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Monday, January 30, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Kernan.

Mr. Weitzell presented a petition from A. Rice, for permission to extend his stable, No. 192 Aliceanna street, which was read and referred to the Joint Standing Committee on Police and Jail.

Mr. Trippe presented a petition from David Henly, clerk to the Appeal Tax Court, for increase of salary, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Torsch presented a remonstrance from Wyman, Byrd & Co. and others, against the opening of a certain 20 foot alley, running from German to Lombard street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bond presented a petition from John W. Garrett and others, in reference to Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Bond presented a petition from Joseph Hampson and others, with reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Johnson presented a petition from James Fahey, asking to have returned a certain sum of money paid to the city in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Johnson presented a communication from George R. H. Leffler, with reference to the improvement of Jones'

Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Bond presented a petition from J. S. & R. S. Carswell, for the payment of a bill for grading, paving, &c., of certain streets, which was read and referred to the Joint Standing Committee on Claims.

Mr. Sommerlock presented a petition from Patrick Greely for payment as watchman on steam dredges on Sundays, which was read and referred to the Joint Standing Committee on Claims.

Mr. Weaver presented a petition from Henry Otto, asking to be repaid water taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Weaver presented a communication from the Commissioners of Franklin Square, relative to the improvements of the square, which was read and referred to the Joint Standing Committee on Parks.

The President presented the following communication from the Commissioners for the Improvement of Jones' Falls, with accompanying opinion of B. H. Latrobe, which were read :

BALTIMORE, January 30, 1871.

GENTLEMEN—Herewith we hand for the information of the Branch the report of Mr. Latrobe, made in accordance with the resolution of the 10th inst.

The late hour of its receipt, and our desire that the Branch should be in possession of it without delay, deprives us of the opportunity of giving it sufficient scrutiny to determine if it will or will not require any comment at our hands, in which event it will be made the subject of another communication.

Very respectfully,

I. R. TRIMBLE.

GEO. P. KANE.

BALTIMORE, January 26, 1871.

*Messrs. Henry Tyson, I. R. Trimble, and Geo. P. Kane,  
Commissioners for the Improvement of Jones' Fall:*

GENTLEMEN:—I received yesterday, from the Secretary of your Board, a note, stating that he had been directed by you to “submit to me the plats, drawings, &c., of Jones' Falls improvement placed in your office by Henry Tyson, Esq., and also by the City Surveyor, with the exception of the ‘damage plats’ now in use by the Commission.” As this action of your Board was in compliance with a resolution of the First Branch of the City Council, a copy of which accompanied Mr. Heiskell's note, I have carefully considered the language of the resolution, in order that I might be advised of what it contemplates should be embraced in the report which it calls upon me to make to you, so that I might confine myself within the limits thus prescribed.

The ordinances upon the subject, original and supplementary, make the “detail drawings, designs, plats and specifications,” (which are referred to in the resolution), “to all intents and purposes part of the plan for the improvement,” and “the works connected with the said improvement” are, “unless otherwise directed by the Mayor and City Council of Baltimore, to be constructed according to said detail drawings,” &c.; and I am asked to report to you whether, to carry those plans into execution *economically and successfully, additional legislation on the part of the Council is required.*

In order to answer this question, the first step to be taken was to examine the plans which, upon the invitation of your Board, conveyed in the note of your Secretary, I have now done, and I take pleasure in saying that, in drawing and coloring, they are very creditable to the draftsman by whom they were executed.

The specifications and forms of proposal, which are on printed sheets, I have also examined, and find them suitably descriptive of the plans—the two together furnishing, as far as they go, a sufficient basis for bids and contracts for the work.

There are no drawings of the *bridges* as yet in your office, for the reason, I presume, that the time allowed by the ordinance for placing them on file has not expired ; nor did I see any description or specification of the manner in which the new channel is to be excavated and the material of it disposed of, and the part of the present bed of the Falls outside of it filled up, the only excavations referred to in the specifications being those of the foundations of the retaining walls and sewers. As one of the most important operations connected with the improvement will be the formation of the new channel, especially where its bed is entirely distinct from that of the old one, so the manner in which the earth removed from it will be transported, and the places in which it will be deposited require a full description of these particulars, and such will, I presume, be prepared in due time.

The *bridges*, being the last part of the work which will be executed, there is time enough to make ready the plans for them, and, indeed, as the form of bridge shown in the published drawings of the plan of April 8, 1869, is adopted by the ordinances, it remains only to supply their details for proposals and contracts.

As the legislation of the Council stands at present, therefore, the plans of the work in all their details, as far as exhibited in the drawings and specifications referred to, are to be strictly followed, without the right even on the part of their author himself to alter them in any respect. The only occasion for "additional legislation" would then (in this state of things) be to facilitate in some way the execution of the improvement according to those plans, and as all the powers necessary for the condemnation of the property to be taken, and for contracting and carrying on the work by the Commission, have been fully conferred by the existing ordinances, I cannot see that farther legislation is needed so long as the plans heretofore adopted remain unchanged.

If, however, as the Council has not tied its own hands, but retains the right of changing the plans at their pleasure, I might consider the resolution of the First Branch as expressing a wish that I should communicate to them, through your Board, my professional opinions as to the expediency



of changes, and to what extent I would advise them to be made, I would then feel free to suggest some important modifications in the present plans.

Were this report to go no further than your Ward, I might not indeed feel at liberty to offer such suggestions, but as the resolution under which it is called for requires its submission to the Council, I may assume, I think, without impropriety that the word "improvement" in it may have a wider sense than as limited to the particular plan heretofore adopted, and that the Council may be disposed to consider whether changes, conducive to that "economy and success" at which the resolution points, might not be made. If I am wrong in this supposition and if the Council has no idea of allowing any change whatever, then what I will proceed to say will at least do no harm, nor must it be taken as evincing a disinclination on my part to direct the execution of the present plan (without, however, endorsing it as the best) if it is desired that my services as Engineer should be continued with that view.

The changes, then, which I would suggest are as follows :

1st. The adoption of the widths for the channel recommended in the report of the first Board of Engineers, one of whom I am now addressing, and approved by the *second* Board of Engineers (Messrs. Chesborough and Hughes) in 1869. These widths present a progressive increase from 75 feet at Eager street to 140 feet at Baltimore street, and 180 feet at the mouth of the Falls, instead of a sudden widening to 125 feet at Madison street from the contracted channel a short distance above, and the maintenance of that uniform width of 125 feet as far as Baltimore street, then a rapid enlargement to 150 feet at Second street and a uniform width of 150 feet thence to the harbor.

The heights of walls should also be those suggested by those engineers rather than those of the present plan, which are as much too low at and below Gay street as the breadths are too narrow to give sufficient water way for such a flood as that of July 1868.

Thus, at *Gay street*, the water way on the present plan is  $14.10 \times 125 = 1854$  square feet, while that suggested by the Board of Engineers is  $17 \times 130 = 2210$  square feet—a difference of 356 or  $18\frac{1}{2}$  per cent in favor of the latter.

At *Baltimore street* it is  $13.6 \times 125 = 1687$  against  $17 \times 140 = 2380$  a difference of 693 square feet or 41 per cent.

At *Pratt street* it is  $13.6 \times 150 = 2025$  against  $16 \times 160 = 2560$  or 535 square feet or 26 4-10 per cent.

At the *mouth of the Falls* it is  $10 \times 150 = 1500$  against  $15 \times 180 = 2700$  a difference of 1200 square feet or 80 per cent.

The present plan between Madison and Gay gives widths and heights of wall somewhat greater than necessary for the discharge of water, as the descent of the bed of the stream gives a velocity to the current which is lost on the tide level below Gay street, and therefore greater width and height is required to vent the current below that street.

If the calculations of the Engineers as to the required cross sections are correct (and they have not been impugned) then the areas allowed by the present plan will prove insufficient and the streets and wharves below Gay street be inundated as before.

The objection to raising the walls as high as the levels assigned them by the Board of Engineers would be increased steepness of grade west of the Falls to reach the top of the walls. It will, however, be recollected that their plan did not contemplate *avenues* bordering the stream, and consequently the ascent of those streets could be carried up to the edge of the walls, while the present plan of avenues would require the ascent to stop 50 feet before it reached the walls, unless the grade of the avenues were seriously broken into at those points. The greater height of the walls (the excess of height not exceeding  $2\frac{1}{2}$  to  $3\frac{1}{2}$  feet) would not thus involve materially steeper grades in the cross streets, while it would not only more effectually guard against overflow, but, by elevating the bridges, allow of the easier passage of drift under them, and so add to the safety of their position.

Whatever indeed may be the effect of higher walls upon street grades, if a certain height is necessary to confine the stream and prevent its lateral spread until it reaches the harbor, that height must be maintained as securing the *most important* of the two objects, viz: easy approaches to the Falls on the one hand, and exemption from overflow upon the other.

The objection to the higher walls, as rendering the use of the Falls as a *dock* more difficult, is not, in my judgment, entitled to much weight, as their commercial value in that view is in the last degree doubtful. One has only to look at their present condition and past history to be satisfied of this. They will be scoured out by every great flood, and filled up by every ordinary one, and the cost of keeping them of the proposed depth of six feet up to Gay street will be poorly reimbursed by the wharf rents they will yield. The dredge boats employed in that service will be the chief craft that will tie to the wharf-rings, while they are doing work *there* which they *ought* to be doing in the *harbor*. If, however, a successful navigation of the Falls can be maintained, the higher the walls the more head room for the vessels which ply upon them.

2d. I would suggest that, for the part of the retaining walls founded upon *piles*, a continuous protection of *sheet piling* be used, to save the pile foundation from the scouring action of the stream. This may have been *intended*, but is not shown upon the drawings, and therefore is not, so far, a part of the *detail* made by the ordinance a portion of the plan of the work.

3d. I would suggest a low stone parapet or curb along the top of the retaining walls, instead of a timber guard bolted down to the masonry. The timber will decay, and its use would, it seems to me, be inconsistent with the character of the masonry it would surmount, and its only recommendation a slight saving of first cost. It was suggested, I presume, as a better protection to the stone work during the loading and unloading of freight at the avenue wharves; but a granite curb, slightly rounded on top, and connected in itself and with the coping of the walls by iron dowells and clamps, would not be subject to injury from that cause,



and would in the end be cheaper as well as better in all other respects.

4th. Upon an examination of the system of sewerage proposed, it appears to me that the main sewer *east* of the Falls need not be extended farther north than Low street, or at most to Gay street, as, with the height of wall of 14 feet 10 inches at the latter street on the present plan, or even of 17 feet on that of the Board of Engineers, a slight raising of the grades of Gay and Hillen streets for a short distance would discharge the drainage of those streets over the top of the wall into the Falls. From 2,100 to 2,500 feet of sewer on the east side would thus be saved.

On the *west* side I would also suggest that the main sewer from Monument street to the Basin be located from Gay street along Harrison street and Centre Market space instead of along Frederick street, by which the deeper excavation on the latter street will be saved and the proposed *pipe* sewer on Harrison street from Fayette street down will be dispensed with, as a sewer of the size projected will be more than ample to discharge all that it and the pipe sewer would be required to pass. The proper location for a sewer is certainly the *lowest ground* towards which the surface drainage tends, or if under-ground drainage between Frederick and Harrison sts. and Centre Market Space is desired, it can be had by small cross-sewers. The 1444 feet of iron pipe sewer proposed in the present plan would be saved by this suggested change. I notice that in the published plan of April 1869, this pipe sewer is made to commence at Gay street some 900 feet further up than Fayette street, where it is now made to begin. The original position of its head was, I think, the best, as it would relieve that much of Harrison street of surface drainage, a very desirable relief for so low a street. The reason for beginning it at Fayette street in the present plan, was, I presume because of the occupation of Harrison street from Fayette street north for some 400 feet in length, by the proposed western avenue of the new channel under which it would be inconvenient to lay the pipes.

This position of the avenue, it strikes us, would be fatal to the use of Harrison street as a thoroughfare on its present grade, for the reason that the level of that street, where



the avenue crosses it by an extremely oblique line is only about six feet above wind tide, while the avenue would be  $13\frac{1}{2}$  feet above the same level. Harrison street would have then to be raised at Fayette street nearly the difference between those heights, but as Fayette street, in order to cross the avenue and the Falls, would have to be raised as much, this would appear to do well enough, as Harrison street (after being graded up from near Baltimore street) could be graded down again towards Gay street, after separating from the avenue. The change in its grade would, of course, injure the property fronting upon it, and would also make Fayette street not the proper point for the mouth or head of the pipe sewer, which should either be at or a little north of Baltimore street, or at or near Gay street as originally designed.

If I am right, however, in my opinion that the proper location of the *main* sewer is along Harrison street, instead of Frederick, then, the pipe sewer being dispensed with, the main sewer would be constructed under the present bed of Harrison street before the change in its grade should be made, and the expensive excavation which would be encountered on Frederick street would still be avoided, and the sewer be where it should be, in the lowest ground. The report of the first Board of Engineers speaks indeed of Frederick street as a route for a sewer, but the reasons for preferring Harrison appear to me now, from subsequent reflection, quite conclusive.

In the published plan of April, 1869, which the Council had before it when it adopted the present plan, the sewer on the east side of the Falls is represented as detached from the retaining wall, leaving an interval between them, and the sewer is shown without the pile foundation provided for the wall. This construction would have been objectionable, as, by setting the sewer close to the wall, and making the stone work on which it rests a part of the wall itself, the wall is strengthened, and the sewer and the wall have the same solid foundation, as is the case in the Thames wall at London, a sectional view of which is shown on the same sheet. It would appear, however, from the working drawings now in your office that this error of construction is corrected, and the sewer combined with the wall.

I would also suggest that farther investigation be made as to the *size* of the sewers, as I think they will be found to be larger in section, and consequently more costly than necessary. On referring to the report of the Sewerage Commission of Baltimore, published in 1862, of which the Chairman of your Board was Chairman, I find that the circular sewer to drain *District No. 4*—which is the same territory to be drained by the *western* sewer of the present plan—is proposed to be 5 feet in diameter, with an area of 19.63-100 square feet at the *outlet*. By the present plan the dimensions are increased, so as to give 32.24 square feet of area at the *outlet*; and to allow this enlargement the form of the sewer is changed, by widening it, and using a cast iron cover, whereas, if the circular form and 5 feet diameter be preserved, the shape of the section will be better, and the construction cheaper. I notice that in the published map of April, 1869, the number of acres to be drained by this sewer is stated at 1000, instead of 246. The reason of this enlargement I am not informed of, and am unable to perceive, as the topography of the ground is unchanged, and there can be no difficulty in draining over the top of the wall, into the Falls, all *north* of the district referred to. I consider the size of the sewer proposed by the Sewerage Commission as more than ample, and therefore would suggest that it be adopted in place of the one now projected. It is better, of course, to err on the safe side in such a case, but *experience* has so definitely determined the proportions of such constructions, that we may feel the utmost confidence in its directions.

Upon similar grounds, I would recommend a reduction in size of the sewer on the *east* side of the channel. The surface to be drained by this sewer is considerably less than that of *District No. 4*, yet the present plan gives it a much greater area at the outlet, the width being 10 feet, with a semi-circular arch above the chord and an invert of 9 feet radius below it, with a sectional area of  $54\frac{1}{2}$  square feet. If a circular sewer of 5 feet diameter is enough for the district west of the Falls, one of not ever  $4\frac{1}{2}$  feet would, I think, suffice for that east of the channel: and, as before stated, I am of opinion that it may have its head at Gay street, or even Low street, instead of Monument street. It must be manifest that wherever the drainage of the city can be car-

ried directly into the bed of the Falls over the walls when they are made of the proper height to confine the highest floods, there can be no occasion for an independent system of sewerage back of those walls. The contributions of the city itself to the freshets of the stream are too small to make it necessary to provide additional channels for their discharge, and the grade of all the streets north of Monument street can and will, no doubt, be arranged with the view of making the Falls itself the great sewer for that part of the city.

Upon referring to the standard authorities quoted by the Sewerage Commission, I find that a *perfectly level* sewer of 5 feet diameter will, for a rain-fall of an inch per hour, drain an area of 570 acres, and of 4 feet diameter and *level* grade, 277 acres. The least descent of 1 in 750 contemplated in the plan, would, of course, discharge much more solidly and drain a much larger area, and will be quite sufficient to vent the rain-fall of  $1\frac{1}{2}$  inches per hour assumed in the present plan.

The preceding are the principal observations I would present at this time with a view to changes in the manner of carrying the present plan into effect "*with economy and success*," and without changing the *location* of the new channel, but only its *width* at the different points indicated above in widening it as it approached the harbor.

Were I at liberty to propose a change of location, I would suggest, as the result of my reflections upon the subject, that instead of the line on which the improvement has been laid down, one deviating much less from the present channel and dispensing with the avenues on either side, should be adopted, thus avoiding the destruction of much valuable property, and facilitating greatly the execution of the work, *hastening* as well as *cheapening* it, and lessening the dangers to be expected from floods while it would be going on, and the inconvenience attending its progress to the inhabitants of the part of the city in which the new channel would be excavated. I would like to propose even a more radical change of plan, were it *in order* to do so, convinced as I am that the improvement must sooner or later take a wholly different form, in which opinion I cannot help noticing that



his Honor, the Mayor, in his late able message to the Council does not disagree with me, although there has been no interchange of views on the subject between us. It remains for the Council, to whom this communication is to go, to decide whether, in the suggestions I have made, I have gone beyond the scope of the resolution of the First Branch which called for it. It will be seen that I am of opinion that "additional legislation" is required, whether to effect a change more or less decided in the present plans, or only to permit them to be executed more *cheaply, safely and expeditiously* than if rigidly adhered to in every particular.

There are now memorials before the Council for changes in one way or another, and as a suggestion from a source entitled to respect, to fill up the submerged district to above the highest flood and confine the stream (without either widening or straightening it, but having it just as it is), within walls high enough to prevent its overflow, I would point out one consideration sufficient to show that this scheme would not answer. Admitting that the flooded district *above* Baltimore street might be thus raised above high water, that *below* or south of that street must manifestly remain as it is, and as the flood water being no longer permitted to find vent through the streets, would require much higher walls to confine it within the channel than if widened and straightened as one or other of the plans proposed, the floods would enter the harbor at such an elevation as to inundate the wharves and carry destruction to the commercial part of the city.

I am, gentlemen, very respectfully

your obedient servant,

BENJ. H. LATROBE,

*Civil Engineer.*

Mr. Randall proposed that a committee of three be appointed to invite the Second Branch into convention with reference to the removal of the present Board of Commissioners for the Improvement of Jones' Falls.

The motion was withdrawn.

The President presented the following communication from the Board of Commissioners for the Improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls:



OFFICE JONES' FALLS COMMISSION,  
January 29, 1871.*First Branch City Council:*

GENTLEMEN:—In reply to your resolution of the 25th instant, inquiring the amount of work done on the surveys of Jones' Falls, the cost of the same, and the number of assistants employed by the surveyor, &c., we have to state that the skeleton map, embracing the old line of the Falls and adjacent streets, and the new line of the Falls laid down thereon, was filed in this office by the Surveyor on or about October 5, 1870; also two sections of the damage plat. The first, embracing the district between the basin and Canton avenue, was placed in our possession December 5, 1870, and the second, the district between said avenue and Lombard street, was placed here January 2, 1871.

The amount paid the Surveyor from time to time by check on Comptroller, from May 25, 1870, to date, is ten thousand two hundred and eighty-three dollars and seventy-five cents (\$10,283.75).

The number of assistants employed by the Surveyor from time to time, commencing May 7, 1870, is as follows:

From May 7, 1870, to May 26, inclusive, Surveyor and 4 assistants.

From May 27, 1870, to June 16, inclusive, Surveyor and 4 assistants.

From June 17, 1870, to July 1, inclusive, Surveyor and 5 assistants.

From July 2, 1870, to July 19, inclusive, Surveyor and 4 assistants.

From July 20, 1870, to August 2, inclusive, Surveyor and 4 assistants.

From August 3, 1870, to August 16, inclusive, Surveyor and 4 assistants.

From August 17, 1870, to August 30, inclusive, Surveyor and 17 assistants.

From August 31, 1870, to September 16, inclusive, Surveyor and 22 assistants.

From September 19, 1870, to October 4, inclusive, Surveyor and 23 assistants.

From October 5, 1870, to October 18, inclusive, Surveyor and 23 assistants.

From October 19, 1870, to October 25, inclusive, Surveyor and 23 assistants.

From October 26, 1870, to November 8, inclusive, Surveyor and 23 assistants.

From November 9, 1870, to November 22, inclusive, Surveyor and 24 assistants.

From November 23, 1870, to November 29, inclusive, Surveyor and 13 assistants.

From December 3, 1870, to December 13, inclusive, Surveyor and 17 assistants.

From December 14, 1870, to December 23, inclusive, Surveyor and 13 assistants.

From December 23, 1870, to January 10, 1871, inclusive, Surveyor and 14 assistants.

From January 11, 1871, to January 24, inclusive, Surveyor and 11 assistants.

Yours, very respectfully,

ISAAC R. TRIMBLE.

GEORGE P. KANE.

The President presented the following communication, which was read and referred to the Joint Standing Committee on Jones' Falls:

GENTLEMEN—Having complied with the request of the First Branch of the City Council, in presenting the cost of surveys and work done, the undersigned considers it a part of the information which the Council should possess, that the City Surveyor, as he reports to the Commission, will furnish the third section of the "condemnation plats" in a month, and the fourth and fifth sections, which will complete the whole within four months from date. That the work of surveys plats, &c., required by the Commission to be done in four months from the 24th of April last, has not yet been furnished, and will not be completed for some months to come, is to be attributed to an error of the Ordinance in committing a work of this magnitude to the City Surveyor, whose hands are full of ordinary city work, rather than to the former City Surveyors, who, under a contract with the Commission would have given it all their time, and have done it at a lower rate, and whose familiarity with, and possession of city plats would have been of great advantage in expediting the work, which is more tedious and difficult in character than ordinary city surveys.

Mr. Kahler was, however, appointed by the Ordinance to do the work, and perhaps, no doubt, did all he could to hasten its completion to the best of his ability. That he has been able to do no better, is not the fault of the Commission. The benefit plats, not yet begun, will, no doubt, take several months more to make surveys and complete the maps.

The undersigned will be pardoned for alluding to an extraordinary misapprehension which prevails, imposed on the community to some extent by ignorance or design, that the improvement has been delayed by differences of opinion in the Board, "That no work was done," &c., &c.

It is hard to understand how any honest and intelligent citizen, who has read the Ordinance, can do the Board the injustice of entertaining such an opinion. Whatever serious differences of opinion took place in the Board, originated in the appointment of its officers, especially of the Engineer, and in the *ambiguity* of the Ordinance in relation to the duties of that officer, viz: whether he, as is always the practice, should prepare working drawings, details, &c., or whether they should be prepared by one of the Board.

These differences have not, however, retarded the work *one day*, since it must be plain to the most ordinary apprehension that nothing could be done until the Surveyor's work should be handed to the Commission to enable them to condemn property.

Section 23 of the Ordinance "provides that the valuation and estimates of damages for all the property necessary to be acquired shall be made by the Commissioners, and presented with an explanatory map embracing *every lot and piece of property* taken," &c., &c.

The property required cannot be condemned by *sections*, but must embrace the *whole*, and after condemnation appeals are to be heard, and report made to the Register of the City, when any dissatisfied parties may appeal to the Baltimore City Court, and have a trial by jury.

Hence it is obvious that all assertions assuming the practicability of commencing the "improvement" before the

completion of all the surveys, are preposterous and reckless.

It must be familiar to all that even for a new street in the city, surveys, condemnations, &c., cannot be made for a year or more, nor can the work be completed for some years after an ordinance has been passed. Then, how is a work of the magnitude of this "improvement" to be carried on in less time than is required for opening an ordinary street of one square.

I repel, therefore, with the strongest sense of the injustice done me, the imputation, *from any quarter*, that I have permitted the discharge of the public duty confided in part to me to be hindered by any difference of opinion, or any controversy to which, as a member of the Board, I have been a party. I owe this protest not less to my own self-respect than to the many friends whose good opinion I am proud to enjoy. The differences which have existed among the Commissioners have been made unduly conspicuous, and have been clothed with an importance which did not belong to them by the introduction of reporters of the *press* at the business meetings of the Board.

While proper publicity should undoubtedly be given to the doings of all public offices, it has never been the custom to introduce reporters at the sessions of any of the various Boards of Commissioners connected with our municipal government. Such a practice would have the inevitable result of offering temptation to individuals to indulge in observations intended mostly for the newspapers, and of exciting discussion and temper before such witnesses, where there would otherwise be but business-like conference.

If such has been the result in the present case, it has been no fault of mine, and no matter whose fault it may have been, I respectfully but firmly insist, that it has involved no dereliction of duty on my part, and no detriment to the public service.

I have the honor to be,  
Very respectfully,

I. R. TRIMBLE,  
*Commissioner of Improvement of Jones' Falls.*



The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, January 30, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that the two Branches of the City Council go into convention on Wednesday evening, Feb. 1, at 6 o'clock, for the purpose of electing Public School Commissioners.

By order,

GEO. T. BEALL, Jr., *Clerk.*

On motion of Mr. Hudgins, the Branch concurred.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, January 30, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that the two Branches of the City Council go into convention on Tuesday evening, Jan. 31, at 6 o'clock, for the purpose of electing seven Directors in Baltimore & Ohio Railroad, and two Commissioners of Finance.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

On motion of Mr. Freeberger, the Branch concurred.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, January 26, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition in regard to adding two additional mem-

bers from each Branch to the Committee on Jones' Falls, and name on the part of this Branch—Messrs. Kerr and Gross.

By order,

GEO. T. BEALL, Jr., *Clerk.*

The President presented the following communication from his Honor the Mayor, which was read:

MAYOR'S OFFICE, CITY HALL,  
Baltimore, January 30, 1871.

*To the Honorable President and Members  
Of the First Branch of the City Council:*

GENTLEMEN:—I have the honor to inform you that the following named ordinances and resolutions, which originated in your Branch, have been duly signed by me, and placed on file in the office of the City Register, according to law:

An ordinance for the condemning and widening of Franklin street, between Green and Pearl streets; approved Oct. 12, 1870.

An ordinance to provide for the medical and surgical treatment of indigent persons, by the Professors of Washington University, and of the University of Maryland Medical Department; approved October 22, 1870.

An ordinance to condemn and open Arlington avenue, from Mulberry street to Franklin; approved October 25, 1870.

An ordinance to condemn and open Sterrett street, from Columbia to Ramsey streets; approved October 25, 1870.

An ordinance to condemn and open Calhoun street, from Presstman street to the line of Gilmor and Cumberland streets; approved October 25, 1870.

An ordinance to condemn and close the Liberty road, oth-

erwise called the Windsor Mill road, between Stricker and Fremont streets ; approved October 25, 1870.

An ordinance to condemn and open Thompson street, from its present western terminus at Friendship street, to the east side of Forrest street ; approved October 25, 1870.

An ordinance to open and construct a sewer from a point near the foot of Scott street, where the Baltimore and Ohio Railroad crosses Chatsworth run, to the upper Spring Gardens, and appropriating twelve thousand dollars therefor ; approved Oct. 25, 1870

An ordinance to change the name of Sterrett street to Barre street ; approved Nov. 2, 1870.

An ordinance to condemn and close the Liberty road from Gilmor street to Fulton street, and to condemn and open in lieu thereof a street of the width of sixty-feet, located two hundred and seventy-six feet south of Baker street ; approved Nov. 17, 1870.

An ordinance supplementary to an ordinance (number seven) entitled "an ordinance to provide for the reorganization of the Fire Department of the City of Baltimore," approved Feb. 21, 1868 ; approved Nov. 7, 1870.

An ordinance to condemn and open an alley fifteen feet wide, running from Broadway to Register street, parallel with Baltimore street and one hundred and fifty-eight feet north thereof ; approved Nov. 7, 1870.

An ordinance, supplementary to an ordinance entitled "an ordinance to provide for the improvement of Jones' Falls, within the limits of the City of Baltimore, and to open avenues and construct sewers on the borders thereof," approved January 31, 1870 ; approved Nov. 19, 1870.

An ordinance to provide for the grading and paving of Charles, Warner and Hanover streets, from West street south to Spring Gardens, or so much thereof as lies within the limit of direct taxation ; approved Nov. 29, 1870.

An ordinance to alter the grade of Eager street, between Broadway and Ann streets ; approved Nov. 29, 1870.

An ordinance to authorize property holders on the east side of Russell street, between Hamburg and West streets to build within twelve feet of the present curb line ; approved Nov. 29, 1870.

An ordinance to authorize and empower the Baltimore City Passenger Railway Company to lay double tracks of their railways from the corner of Baltimore and Eutaw streets to Camden Station ; approved Nov. 29, 1870.

An ordinance entitled "an ordinance to fix and ascertain the salary of the Assessor of Real Estate, for the city of Baltimore ;" approved January 13, 1871.

An ordinance entitled "an ordinance to fix and establish the salary of the Clerk of the City Commissioner ;" approved January 20, 1871.

An ordinance entitled "an ordinance to fix and establish the compensation of the Janitor of the old Masonic Building, the Watchman of the old Masonic Building, and the Watchman of the Court House ;" approved January 20, 1871.

Resolution for gas mains on Eden street ; approved October 12, 1870.

Resolution in favor of Woods, Weeks & Co.; approved October 12, 1870.

Resolution to lay gas mains on Bond street; approved October 12, 1870.

Resolution for gas mains on Bond street; approved October 12, 1870.

Resolution to remove an old pump stock on the south side of Madison street ; approved October 17, 1870.



Resolution to have a fire plug placed on the northeast corner of Henrietta street and Pimlico alley; approved October 17, 1870.

Resolution to lay a gas main on Lombard street; approved October 17, 1870.

Resolution to remove an old pump stock on North Howard street; approved October 17, 1870.

Resolution to lay gas mains on Aliceanna street; approved October 17, 1870.

Resolution to lay a gas main on Vine street; approved October 17, 1870.

Resolution to lay a gas main on Bond street; approved October 17, 1870.

Resolution to remove an old pump stock on Central avenue; approved October 17, 1870.

Resolution in favor of Thomas Godey; approved October 25, 1870.

Resolution for the removal of pump stock on the corner of Charles and Lombard streets, pumps on Fremont street, on premises No. 34 Moulton alley, and on the southwest corner of Baltimore and Carey streets; approved Oct. 25, 1870.

Resolution appropriating \$600 in favor of Union Square; approved Oct. 25, 1870.

Resolution appropriating \$400 to defray the expenses of re-fitting the meeting room of the Board of School Commissioners; approved Oct. 25, 1870.

Resolution appropriating \$23,000 for the Port Warden's department; approved Oct. 25, 1870.

Resolution in favor of Josiah Rheim ; approved October 25, 1870.

Resolution authorizing the City Commissioner to construct, over the new Richmond Market House, an armory for the use of the Fifth Maryland Regiment, National Guard ; approved October 25, 1870.

Resolution for the purchase of Gwynn's Falls bridge ; approved October 25, 1870.

Resolution in favor of the Calverton Sugar Refinery ; approved October 25, 1870.

Resolution for a fire plug on the corner of Chew and McKim streets ; approved October 25, 1870.

Resolution in favor of Henry E. Loane ; approved October 25, 1870.

Resolution appropriating six hundred dollars for the improvement of Eastern Spring grounds ; approved October 25, 1870.

Resolution to remove old pump stock on Chestnut alley ; approved October 25, 1870.

Resolution to remove old pump stock on Frederick avenue ; approved October 25, 1870.

Resolution to remove old pump stock on Canton avenue ; approved October 25, 1870.

Resolution for the repair of pump on West Baltimore street ; approved October 25, 1870.

Resolution to remove an old pump stock corner Eutaw and Pratt streets ; approved October 25, 1870.

Resolution to remove old pump stock on east side of Broadway ; approved Oct. 25, 1870.

Resolution appropriating five hundred and fifty dollars for the improvement of Harlem Square; approved Oct. 25, 1870.

Resolution to remove old pump stock cor. Oregon and Booth streets; approved Oct. 25, 1870.

Resolution to remove pump stock from Lexington street; approved Oct. 25, 1870.

Resolution in favor of John Haugh; approved Nov. 2, 1870.

Resolution in favor of Samuel A. Horney; approved Nov. 2, 1870.

Resolution authorizing the laying of a drain on Hollins street between Republican and Schroeder streets; approved Nov. 2, 1870.

Resolution changing the location of the pump on N. W. cor. Park and Marion streets; approved Nov. 2, 1870.

Resolution for the removal and replacing of pump on Eager street; approved Nov. 2, 1870.

Resolution in favor of Edward Connelly; approved Nov. 2, 1870.

Resolution appropriating five hundred dollars for the repair of male and female grammar school No. 14; approved Nov. 2, 1870.

Resolution to increase the size of a water main on Eutaw street, and for the erection of a fire plug in the neighborhood of Eutaw and Cross streets; approved Nov. 2, 1870.

Resolution authorizing the laying of a drain on Raborg street, between Poppleton and Amity streets; approved Nov. 2, 1870.

Resolution appropriating three thousand dollars for the purpose of repairing the wood work at Bayview Asylum ; approved Nov. 2, 1870.

Resolution in favor of H. D. Hinternesch ; approved Nov. 2, 1870.

Resolution granting permission to the Board of Managers of the Maryland Institute to sink a well and erect a stair-way ; approved Nov. 2, 1870.

Resolution appropriating three thousand dollars to the International Immigration Union ; approved Nov. 7, 1870.

Resolution in favor of the Church of the Epiphany ; approved Nov. 7, 1870.

Resolution in favor of Charles P. Kahler, City Surveyor ; approved Nov. 19, 1870.

Resolution for a gas main on Read street ; approved Nov. 19, 1870.

Resolution for the removal of a fence around Eutaw Place ; approved Nov. 19, 1870.

Resolution granting an extension of time for the payment of the benefits assessed for the opening of Lexington street ; approved Nov. 29, 1870.

Resolution appropriating \$300 for a pump at Battery Square ; approved Nov. 29, 1870.

Resolution in favor of the Vestry of St. Peters P. E. Church ; approved Nov. 29, 1870.

Resolution in favor of Martin A. Sisson & Co., contractors ; approved Nov. 29, 1870.

Resolution appropriating \$12,500 for the construction of North avenue bridge ; approved Nov. 29, 1870.



Resolution in favor of Dr. A. C. Robinson ; approved Nov. 29, 1870.

Resolution permitting John Muth to erect a brick stable ; approved Nov. 30, 1870.

Very respectfully,

ROBERT T. BANKS, *Mayor*.

Mr. Smyrk offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, instructed to lay gas mains on North Ann street, between Jefferson and Orleans streets.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

Mr. Ehlers offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized to have iron plates laid over the gutter on Light street, opposite Williamson street, the expense of the same to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the Committee on City Property be, and they are hereby directed to inquire into the expediency of purchasing by condemnation for the use of the city of the lot of ground and improvements lying between Holliday street on the west,

and Gay street on the east, and Lexington street, if continued through to Gay, on the north, and Fayette street on the south, so that the said lot may be used for a square in front of the new City Hall, thereby displaying the architectural beauty of said building.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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Tuesday, January 31, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Bruce presented a petition from E. R. Cleaveland & Co., for the removal of an old pump from in front of their store, Nos. 155 and 157 North Gay street, which was read and referred to the Joint Standing Committee on Water.

Mr. Bond presented a communication from E. Beatty Graff, with reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Weaver presented a petition from Henry Knell and others, for the closing of a 20-foot alley between Thompson and Adams streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Crout presented a communication from Wendell Bollman others, in reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Crout presented a petition for the opening and condemnation of Dolphin street, between Pennsylvania avenue and Chatsworth street, which was read and referred to the Joint Standing Committee on Highways.

Col. Robertson, Secretary to the Mayor, appeared at the bar of the Branch with a sealed communication from his Honor the Mayor.

The President presented the annual report of John A. Robb, City Register, and the annual report of Commissioners of Finance, which were read and ordered to be printed.

On motion of Mr. Crout, a committee of two was appointed to invite the Second Branch into convention with the First on a sealed communication from his Honor the Mayor.

The Chair named as the committee—Messrs. Crout and Smyrk.

The two Branches then went into convention on the above sealed communication, and after remaining therein for some time, the members of the Second Branch returned to their Chamber.

Business being resumed, the President presented the following communication, which was read :

*Hon. Geo. W. Bishop, President of the*

*First Branch of the City Council of Baltimore:*

SIR :—You are well aware that the anxiety of gentlemen to change the “ Board of Commissioners of Jones’ Falls ” has not exceeded my desire to be disconnected with it.

You also know, Mr. President, that it was my earnest wish and determination, so far back as last summer, to withdraw from all connection with the same, and my resignation was not presented by those to whom it was entrusted, only because it was supposed, at that particular juncture, the public interest might not be promoted by creating a vacancy in the Board.

Very soon after I became connected with the Commission, it appeared evident to me that there were radical defects in the ordinance itself, in failing sufficiently to guard the interests of the city, and every thing that has occurred since in connection with it, goes to show, in my judgement, that these apparent defects were not accidental, and that there were objects and interests to be taken care of, to which those of the "flooded district" were subordinate, and merely incidental.

With such convictions I have watched, with great care, every step connected with the matter, having never been absent from a regularly called meeting of the Board, but on one single instance.

I felt it my duty to make an official communication to the joint committee of the Councils, having this matter in charge, some six months ago, admonishing them of the extravagant cost and delays in obtaining the required surveys, and transmitting a proposition from some of the oldest, best known, and most skilful surveyors in Baltimore, proposing to furnish the plats completed within sixty days, for the sum of \$3,500, they to give ample bond for the faithful performance of their contract. My communication was entirely unheeded. Nine months have elapsed, between ten and eleven thousand dollars have been paid out for that purpose, and two-thirds of the plats are still to be prepared, which I learn from my colleague, General Trimble, it will take four additional months for the surveyor to complete.

After they shall have been completed, the benefit maps will have to be prepared, and your honorable body can judge as well as I can, the probable time which it will take to prepare them. Judging from the past, it will scarcely be short of a year, and perhaps much longer. No one having the slightest pretension to ordinary common sense but knows that these plats must all be had, and the property described on them must be appraised, before a stroke of work on the improvement can be struck; and yet, in the face of these facts, every species of gross and undignified abuse has been heaped upon the majority of the Commission for not beginning the work.



You furnished an official plan and ordinance as our guide, which we, as Commissioners, swore to see faithfully executed, but before we had obtained the first vestage of a survey, our attention was directed to improvements going on in the bed of the stream, which cut your plan in two. We promptly drew the attention of the Council to it, and a supplementary ordinance was adopted repealing the 13th section of the original ordinance, under which the right to make these changes was claimed, and in lieu of it you created a Board of Engineers to determine the question at issue. That ordinance passed late in October, but did not receive the Mayor's sanction for near a month following, and to this day the Board has never met, and yet the work referred to has been pushed with renewed energy, in spite of your virtual prohibition, just as though there were no such officials as the Mayor and City Council in existence.

After a most careful and thorough survey of the whole ground, I am forced to the conclusion that the existing scheme, if persisted in, will cost vastly in excess of the estimates, and the completion of the avenues provided for, so far as they pass through the fourth and ninth wards, will be ruinous to the interests of the bulk of small property holders on the line of them, whose lots may not be absorbed. The damages will be so great, because of the irregularity of grade, that Marsh Market space, and streets adjoining, will be converted into comparative ditches; and it will be rather hard to assess upon the lower and upper wards of the city the cost of carrying on a job, that will practically injure the very people whose property it is pretended to benefit.

Look, for one moment, at what the condition of that existing business mart and hive of industry, north of Gay street, will be, perhaps for a year or two, and the quagmire in which, in wet weather, its neighboring population will have their residences, with such needless and reckless digging and excavation of debris in their midst. To any practical mind the prospect must seem fearful.

So far as business men in that vicinity are concerned, it will be as if a death pall was spread over their affairs of

trade. I cannot lend my approval to a matter so much at variance with my judgment, and therefore most respectfully beg leave to withdraw my name from consideration in the proposed reconstruction of the Board.

Yours, very respectfully,

GEO. P. KANE.

On motion of Mr. Kernan, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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Wednesday, February 1, 1871.

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The Branch met pursuant to adjournment.

Present, GEO. W. BISHOP, Esq., President, and all the members.

Mr. Hudgins presented the annual report of the President and Directors of the Eastern Dispensary, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Trippe presented a report of the University of Maryland Free Dispensary, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Mills presented a petition from the Abbott Iron Company, to extend their water line, which was read, and, on motion of Mr. Smyrk, referred to the Joint Standing Committee on the Harbor.

Mr. Mills presented a petition from George Cuttle, to have refunded money paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, instructed to have suitable iron plates placed over the water-way on Calvert street at the intersection of Calvert and Centre streets, the expense of the same to be taken out of any money not otherwise appropriated.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Sommerlock offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council. That the Chief Clerk of the First Branch be directed to withdraw from the files of the City Register's office, the papers submitted to the last Council in relation to the petition of Mr. John Hahn, Janitor of Lexington Market.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have the old pump stock at the southwest corner of Lombard and Poppleton streets removed, and to have the well of the same properly secured and covered.

On motion of Mr. Johnson, the resolution was referred to the Joint Standing Committee on Water.

Mr. Trippe introduced the following ordinance, which was read :

An ordinance to require the City Passenger Railway Company to keep certain portions of the street clear of snow or other obstructions.

SECTION 1. Be it enacted by the Mayor and City Council of Baltimore, That the City Passenger Railway Company keep the streets included between their tracks, and for the space of two feet on either side thereof, free from snow or other obstructions, and in so doing, shall not cause to be obstructed the other portion of the streets on either side of said railway tracks.

SEC. 2. And be it further enacted, That the said City Passenger Railway Company shall forfeit and pay a fine for every square, or portion of square, from which snow or other obstruction shall not be removed in accordance with section one of this ordinance, of twenty dollars per square to be collected as other fines are collected.

SEC. 3. And be it further enacted, That this ordinance take effect from the date of its passage.

On motion of Mr. Trippe, the ordinance was read a second time, by special order.

Mr. Kernan offered the following amendment, which was read :

“And that they remove the same without the use of salt.”

And on motion of Mr. Johnson, the ordinance and amendment were referred to the Joint Standing Committee on Health.

Col Robertson, Secretary of the Mayor, appeared at the bar of the Branch with a communication from his Honor the Mayor.

The President presented the following communication from his Honor the Mayor, covering a communication from Messrs. Kingsley & Keeney, of New York, which was read:

MAYOR'S OFFICE, CITY HALL,  
Baltimore, Feb. 1, 1871.

*To the Honorable the Members of the First and  
Second Branches of the City Council:*

GENTLEMEN:—I have the honor to transmit to you, for consideration, a proposal received this day of Messrs. Kingsley



& Keeney, of Brooklyn, N. Y., "to do the necessary work in the construction of the 'Jones' Falls Improvement," in accordance with the plans and specifications of Mr. Henry Tyson," for a specified amount or price, and under certain conditions.

This proposal seems to me valuable, at least, as indicating the cost of the mere construction of the work on the "Tyson plan," after the damage and benefit balance shall have been adjusted.

Very respectfully,

ROBERT T. BANKS, *Mayor*.

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OFFICE OF KINGSLEY & KEENEY,  
355 Fulton St., Halsey Building,  
Brooklyn, January 27, 1871.

*To the Hon. R. T. Banks, Mayor,  
and the City Council of Baltimore :*

We hereby respectfully submit for your consideration our proposal to do the necessary work in the construction of the "Jones' Falls Improvement" in your city.

We will do all the necessary work and furnish all the labor and materials required in the construction of the work in accordance with the plans and specifications of Mr. Tyson for widening and deepening the channel, building retaining walls on each side, constructing sewers, grading parallel streets on each side, building bridges, &c., for the sum of eighteen hundred and fifty-three thousand dollars (\$1,853,000

The city to furnish us the right of way free of cost, as required, and remove all buildings from the same; we to have all the old materials on the line of improvement to be removed, except the part of the buildings above the surface of the ground.

If the contract should be awarded to us, we will furnish any amount of security that may be required for the prompt and faithful performance of the contract. We will also agree to commence the work within thirty days after the execution of a contract, and to complete the same within two years; payments to be made monthly, of ninety (90) per

cent. of the amount of work done, reserving ten per cent. until the reserved per centage shall amount to one hundred thousand dollars (\$100,000), which shall be reserved until the completion and acceptance of the work. After the per centage shall amount to one hundred thousand dollars, the full amount of the work done shall be paid for monthly.

If this proposition is accepted, we will at any time execute a contract in compliance with the conditions herein named.

Respectfully submitted,

KINGSLEY & KEENEY.

On motion of Mr. Trippe, the communications were referred to the Joint Standing Committee on Jones' Falls.

Mr. Johnson offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the City Commissioner be, and he is hereby, directed to furnish this Branch with the information of the probable cost of altering the city hydrants, so as to provide for each hydrant a trough or box that may be used for watering horses.

Mr. Trippe moved that a committee of two be appointed to invite the Second Branch into convention with the First for the purpose of electing School Commissioners for the ensuing year.

The Chair named as such committee—Messrs. Trippe and Price.

The two Branches then went into convention, and after remaining therein for some time, the members of the Second Branch returned to their Chamber.

Business being resumed, Mr. Trippe offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That

John H. Tegmeyer and Charles P. Manning be, and they are hereby, requested to inform this body why the lines of Jones' Falls, between Eager and Madison streets, have not been established by them in accordance with the ordinance authorizing them so to do, and report to this Council.

On motion of Mr. Randall, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

WM. H. COLE, *Clerk.*

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Thursday, February 2, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Weitzell, Mills, Kernan, Ward, Torsch, and Johnson.

Mr. Bond presented a petition from John B. Emery, to have refunded money paid to the City Collector in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Crout presented a petition from Henry Loane, to be paid money due him on his contract for work on the new City Hall, which was read and referred to the Joint Standing Committee on Claims.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, February 2, 1871.

*Gentlemen of the First Branch:*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, at 5 o'clock.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Sommerlock, the Branch concurred in the message, and—

On motion of Mr. Randall, the Branch adjourned until Monday afternoon next, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, February 6, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Smyrk presented a petition from James A. Moore and others, for the removal of a pyrotechnic establishment in the neighborhood of Fayette and Wolf streets, which was read and referred to the Joint Standing Committee on the Fire Department.

Mr. Smyrk presented a communication from Francis White and others in reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Smyrk presented a communication from Richard Wells, in reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Bond presented the annual report and application for yearly appropriation of the Trustees of the Baltimore Special



Dispensary, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Berry presented a report and application for annual appropriation from the Baltimore Southern Dispensary, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Trippe presented an invitation from Thomas M. Johnson, President of the Baltimore Manual Labor School, to visit the school on Thursday, Feb. 9.

On motion of Mr. Smyrk, the invitation was accepted.

Mr. Weaver presented a petition from Jas. L. Hagerty and others, asking to have repealed ordinance No. 58, to straighten Lanvale street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Torsch presented a protest from Alex. J. Johnson and others, against the repeal of ordinance opening alley from German to Lombard streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Trippe introduced an ordinance entitled "An ordinance to fix and establish the salaries of the City Comptroller's Department," which was read, and—

On motion of Mr. Trippe, referred to the Joint Standing Committee on Ways and Means.

Mr. Torsch offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Sharp street, between Baltimore and Fayette streets, also on Cowpen alley, rear of West Baltimore street.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, February 6, 1871.

*Gentlemen of the First Branch:*

We respectfully propose, with your concurrence, to effect a Joint Special Committee of three members from each Branch, to inquire into the present mode of contracting for the city printing and stationery, and also to recommend some other mode than the present for furnishing the various departments of the city government with such printed matter and stationery as may be necessary for their use, and name on the part of this Branch, Messrs. Duke, Kerr and Milroy.

By order,

GEO. T. BEALL, Jr., *Clerk.*

On motion of Mr. Johnson, the Branch concurred in the message, and the President named as the committee on the part of this Branch—Messrs. Randall, Bond and Smyrk.

Mr. Randall introduced the following ordinance, which was read:

Whereas, By ordinance of the Mayor and City Council of Baltimore, passed at the session, A. D. 1870, the American Telegraph Construction Company was authorized and empowered to construct, maintain, and operate a local telegraph line, for the purpose of establishing telegraphic communication between various points in the city of Baltimore, and for this purpose to place telegraph wires and apparatus on the poles of the Police and Fire Alarm Telegraph, and to erect and maintain telegraph poles in various streets in said city of Baltimore, and

Whereas, The Gold and Stock Printing Telegraph Company has purchased the wires, poles, apparatus and effects of said American Telegraph Construction Company, and is desirous of carrying out the purposes and objects proposed by the latter company, and in order thereto asks the same

privileges and authority as given to the said American Telegraph Company ; therefore,

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Gold and Stock Printing Telegraph Company be, and it is hereby, authorized and empowered to construct, maintain, and operate a local telegraph in the city of Baltimore, for the transmission of messages from one part of the city to the other, and for this purpose to place telegraph wires and apparatus on the poles of the Police and Fire Alarm Telegraph in said city, and also to erect and maintain poles in the following streets in said city, viz: Charles, Fayette, Frederick, Second, South, Light, Lombard, Pratt, Camden, Eutaw, Paca, Aliceanna, Thames, Cambridge, Queen, Essex, Lancaster, Hudson, Binney, Chesapeake, Harris, Ellicott, and Toone streets, and also in Fort avenue, Canton avenue, Eastern avenue, Pennsylvania avenue, Belair avenue, Harford avenue, Wilkens avenue and Frederick avenue, and in Broadway ; provided said company shall not place poles in front of, or on the pavement of any private residence, without first obtaining the consent of the owners and occupants of said residences.

SEC. 2. Be it further enacted and ordained, that the telegraph poles authorized to be erected under the preceding section shall be straight and dressed, and shall be erected in a substantial manner, under the supervision of the City Commissioner, and that the pavements of the city on which said poles shall be erected shall, in all cases, be put by said company in as good condition as they were before the erection of said poles.

SEC. 3. Be it further enacted and ordained that the wires and apparatus of said Company shall be attached to the poles of the Police and Fire Alarm Telegraph in such manner as not to interfere in any respect with the wires or apparatus of the said Police and Fire Alarm Telegraph, and shall be attached to said poles under the supervision of the Superintendent of the Police and Fire Alarm Telegraph ; but said Company shall keep all poles to which its wires may be attached in good repair, and the wires so

permitted to be attached to the poles of the Police and Fire Alarm Telegraph shall be removed within sixty days after notice shall have been given by the Mayor of said city of Baltimore to said Company to remove the wires so attached.

SEC. 4. Be it further enacted and ordained that the privileges by this ordinance granted to said Gold and Stock Printing Telegraph Company are so granted on condition that the Mayor and City Council of Baltimore may at any time, free of charge, attach the wires and apparatus of the Police and Fire Alarm Telegraph to the poles which may be erected by said Company, and that said Company shall at all times send and receive, free of charge, all messages which any of the agents or servants of said Mayor and City Council of Baltimore may desire to send over the telegraph operated by said Company in said city.

SEC. 5. Be it further enacted and ordained that this ordinance shall take effect from the date of its passage.

On motion of Mr. Randall, the ordinance was read a second time, by special order, and, on motion of Mr. Johnson, referred to the Joint Standing Committee on Highways.

Mr. Crout offered the following resolution, which was read :

Resolved by the First Branch City Council, That the Comptroller call upon the Gas Company, and ascertain whether the city can expect the carrying out by them of the same arrangements for laying gas mains as has hitherto been done.

Mr. Trippe offered the following as a substitute, which was read :

Resolved by the First Branch of the City Council of Baltimore, That the City Comptroller be, and he is hereby, instructed to inquire, and report to the Council, what arrangement the City Gas Company proposes to make for the laying of gas mains in the city.



The question being on the substitute, it was declared adopted.

Mr. Mills presented a communication from J. J. Husband, with accompanying plan for the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Bond proposed a message to the Second Branch to go into convention at 6 o'clock for the election of a School Commissioner for the 11th Ward, in the place of H. Clay Daltam, Esq., declined.

The following resolutions were received from the Second Branch, severally endorsed "adopted:"

Resolution in favor of Miss Virginia Sevier.

Resolution in favor of Michael Dwyer.

Resolution in favor of John Scherer.

Resolution in reference to the investigation of committee expenses.

Resolution to lay gas mains on North Ann street.

Resolution to place iron plates over the gutters at Light and Williamson streets.

The Second Branch returned the resolution in reference to placing iron plates over the water-way on Calvert street, at its intersection with Centre, with the following amendment, which was read :

Insert after the word "streets," in 8th line, "and at the intersection of Calvert and Monument streets."

On motion of Mr. Weitzell, the amendment was concurred in.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, February 6, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition to go into convention at six o'clock, for the election of a School Commissioner for the Eleventh Ward.

By order,

GEO. T. BEALL, Jr., *Clerk.*

The two Branches then went into convention, and after remaining therein for some time, the members of the Second Branch returned to their Chamber.

Business being resumed—

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That all employees under the late Board of Commissioners for the improvement of Jones' Falls, and all employees of the City, discharging functions under the ordinance creating the same be, and they are hereby, directed to cease the discharge of their several functions thereunder; and that the Register of the City be, and he is hereby, directed to withhold from them any payments for services rendered after the passage of this resolution.

Mr. Randall moved its reference to the Joint Standing Committee on Jones' Falls, on which, Mr. Weaver called for the yeas and nays, resulting as follows :

*Yeas* — Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Price, Sommerlock, and Randall—12.

*Nays* — Messrs. President, Bond, Berry, Freeberger, Ehlers, Johnson, Weaver and Crout—8.

The motion was declared adopted.

The following ordinance was received from the Second Branch and read :

An ordinance supplementary to ordinance No. 29, passed at the annual session of 1869, and approved February 5th, 1869, entitled "An ordinance to construct a sewer from the north side of Wilson street to North avenue" on certain conditions.

Whereas, Under the ordinance to which this is a supplement, the Commissioners of Sewers have assessed for benefits the property of various persons, the sum of twenty-six thousand five hundred and eleven dollars and seventy-nine cents, and the City of Baltimore the sum of twenty thousand one hundred and forty-five dollars and sixty-eight cents, aggregating, in all, the sum of forty-six thousand six hundred and fifty seven dollars and forty seven cents ; and whereas, since said assessments have been imposed, the price of labor and material have been considerably reduced in value, so that it is probable that the work can be done for less than the amount originally estimated, now, therefore :

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That if it shall be found that said sewer can be built for less than the amount imposed, which shall be ascertained by giving the same out to public competition, as provided for in section 24 of ordinance No. 52, approved May 7th, 1868, then there shall be an abatement made, *pro rata*, in favor of all those persons whose property has been assessed for benefits as aforesaid, corresponding with such reduced price as it shall be found said work may be done for.

SEC. 2. And be it enacted and ordained, That the City Collector, before proceeding to collect the assessments, shall cause a new schedule to be made, in accordance with the provisions of the first section of this ordinance.

SEC. 3. And be it enacted and ordained, That this ordi-

nance shall take effect from and after the date of its passage.

On motion of Mr. Weitzell, the ordinance was read a second time, by special order, the preamble and title approved, and the ordinance declared passed.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Joint Standing Committee on Health be, and they are hereby, directed to enquire into the propriety of establishing public baths in the city of Baltimore, and to report to this Council, at an early a day as possible, such an ordinance as they may deem necessary for the establishment of said public baths.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Claims, with the accompanying resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to James Birkhead, out of any money in his hands not otherwise appropriated, the sum of fifty dollars and forty cents, (\$50.40), for taxes paid in error in the year 1867, provided a proper receipt is given for the same.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order

WM. H. COLE, *Clerk.*



Tuesday, February 7, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Mills.

Mr. Hudgins presented a petition from Frederick Wehr and others, asking for an additional grammar school in the Eastern section of the city, which was read and referred to the Joint Standing Committee on Education.

Mr. Ward presented a petition from the Hibernian Association, for an application to pay certain monies paid for the assessment for the opening of Lexington street, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Bond presented a petition from the Children's Aid Society, for an appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

The President presented the petition of Wm. Brewer and others, for the paving of a certain space on Broadway, at Fell's Point Market, which was read and referred to the Joint Standing Committee on Markets.

The President presented a petition from John Patterson and others, for the paving of a certain space between Canton and Eastern avenues, which was read and referred to the Joint Standing Committee on Markets.

The President presented the following communications, which were read:

CITY COMMISSIONER'S OFFICE,  
Baltimore, February 6, 1871.

*To the Honorable President and Members*

*Of the Second Branch of the City Council:*

GENTLEMEN:—In reply to the resolution which passed your Branch on the 1st instant, "That J. H. Tegmeyer

and Chas. P. Manning be, and they are hereby, requested to inform this body why the lines of Jones' Falls, between Eager and Madison streets, have not been established by them, in accordance with the ordinance authorizing them to do so, and report to this Council," I would, in the absence of Mr. Manning, most respectfully say that, as soon as the ordinance referred to was approved, (November 19th, 1870), I dispatched to Mr. Manning, who was in Ohio at the time, to meet Col. Hughes—who was also named as one of the Commissioners in the ordinance—and myself, in Baltimore, on the 1st of December ensuing, for the purpose of organizing the Commission.

After the arrival of Mr. Manning we were informed of the death of Col. Hughes, and no provision having been made in the ordinance, during the recess of the Council to fill the vacancy occasioned by his death, I addressed a letter (a copy of which please find enclosed) to his Honor the Mayor, stating the facts in the case, and requested instructions how to proceed, &c.; and after a consultation with his Honor and the City Counsellor, it was decided that inasmuch as we had not organized as a Commission two of us could not act, and therefore the matter was deferred until the meeting of the Council, at its regular session, since which time I have been too unwell to give the subject any attention.

Respectfully submitted,

J. H. TEGMEYER,

*City Commissioner.*

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(Copy.)

CITY COMMISSIONER'S OFFICE,

Baltimore, December 6, 1870.

*Honorable R. T. Banks, Mayor:*

DEAR SIR:—In consequence of the death of Col. Geo. W. Hughes, one of the Commissioners appointed by the

Mayor and City Council of Baltimore, in connection with Chas. P. Manning, Esq., and myself, to determine the line of Jones' Falls between Eager and Madison streets, we (Mr. Manning and myself), are in doubt as to whether we are competent to organize and act in accordance with the ordinance of the City, and therefore desire to be instructed as to how we shall proceed.

Respectfully,

J. H. TEGMEYER,  
*City Commissioner.*

On motion of Mr. Johnson, the communications were referred to the Joint Standing Committee on Jones' Falls.

Mr. Weaver, from the Joint Standing Committee on Police and Jail, submitted the following report and resolution, which were read :

The Joint Standing Committee on Police and Jail, to whom was referred the petition granting permission to Mr. A. Rice to extend his livery and hiring stable on premises No. 192 Aliceanna street, most respectfully report that they have given the subject a careful consideration, and find that the ordinances relating to hiring and livery stables have been complied with, and no objection having been made to the extension of the same, recommend the adoption of the subjoined resolution :

J. HARRY WEAVER,  
THOS. P. KERNAN,  
*First Branch.*

JOHN MILROY,  
A. W. DUKE,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and is hereby, granted to Mr. A. Rice to extend his livery and hiring stable on premises No. 192 Aliceanna street, subject to all ordinances appertaining to livery and other stables.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Hudgins offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Board of Public School Commissioners be, and they are hereby, authorized and directed to lease a lot of ground—the title to which shall be approved by the City Solicitor—for a Male and a Female Grammar School-house, within the section of the city bounded by Ann, Pratt, Gist and Fayette streets, at an annual rent not exceeding

dollars per front foot; and that the City Commissioner have erected thereon a suitable building for such schools, at a cost not exceeding                      thousand dollars.

And be it further resolved, that the sum of thousand dollars be, and is hereby, appropriated for the building of such house.

On motion of Mr. Smyrk, the resolution was referred to the Joint Standing Committee on Education.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

WM. H. COLE, *Clerk.*

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Wednesday, February 8, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell, Kernan and Crout.

Mr. Trippe presented the annual report and petition for annual appropriation for Trustees of the Boys' Home, which was read and referred to the Joint Standing Committee on Ways and Means.

The President presented an invitation from the teachers of Female Grammar Schools Nos. 3, 13, 19 and 20 to attend a concert of the public schools at Masonic Temple, on Tuesday evening next, which was read.



On motion of Mr. Sommerlock, the invitation was accepted.

Mr. Mills presented a petition from John H. Hayward and other officers and men of the Baltimore Fire Department, that their pay be continued during disability, &c., accompanying a communication on same subject from the Fire Commissioners, which were read and referred to the Joint Standing Committee on the Fire Department.

Mr. Smyrk introduced an ordinance entitled "An ordinance to provide for the appointment of three Harbor Masters for the harbor of Baltimore, and to establish their districts," which was read and referred to the Joint Standing Committee on the Harbor.

Mr. Freeburger offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Clerk of this Branch be requested to withdraw from the files of the Register's office all papers and other documents relating to the extending of Battery Square.

Mr. Ehlers offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Mayor be, and he is hereby, directed to appoint an additional lamplighter for the Southern District, if in his judgment the same is deemed necessary.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Whereas, The steam ice-boat "Chesapeake" has lately been destroyed by fire, to the great damage of the commerce

of this city of Baltimore ; and whereas, it is just and proper that the city authorities should be informed in an official manner of the circumstances superinducing the loss of the said steamer ; therefore, be it

Resolved by the Mayor and City Council of Baltimore, That the Joint Standing Committee on Ways and Means be, and they are hereby, instructed to investigate the cause of the loss of the ice-boat "Chesapeake," and to ascertain all the facts in regard to her insurance, and to send for persons and papers, and examine witnesses on oath in regard thereto ; and also to ascertain upon what terms the steamer "State of Maryland" is hired, and to inquire into the practicability of the city's replacing said boat with another, efficient for the purpose of keeping an open harbor, and to be exclusively under the control of the city authorities, and to report upon the same by ordinance or otherwise, as soon as possible.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, February 8, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, at 5 o'clock.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Johnson, the Branch concurred in the message.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Superintendent of Police and Fire Alarm Telegraph be authorized and directed to extend his wires from the southwest corner of Arlington avenue and Townsend street to the corner of Carey street and Edmondson avenue, and place a box at said corner; and the sum of six hundred dollars, or as much thereof as may be necessary, is hereby appropriated for said purpose.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed that in every instance hereafter when he is authorized to lay down flag-stones at the crossings of any of the streets, laues or alleys within the city of Baltimore, to have the same laid of hammered flagging of an uniform width of not less than four feet.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

The following ordinance was received from the Second Branch and read:

An ordinance supplementary to an ordinance entitled "An ordinance to provide for the medical and surgical treatment of indigent persons by the Professors of Washington University, and of the University of Maryland, Medical Departments," approved October 22, 1870.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That section one of the ordinance to which this is a supplement, be, and the same is hereby, repealed and re enacted as follows, viz:

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the trustees and ward man-

agers of the poor, and the magistrates elected by the Board of Police Commissioners for the several station houses, or either of them, are hereby authorized and directed to cause any indigent sick or disabled persons of the city of Baltimore, who may be entitled to relief under the ordinances of the city, to be sent or taken, by order in writing and with their consent, to the Hospitals of the Washington University and of the University of Maryland, for medical or surgical treatment by the professors of said Universities, at any time during each year; provided, that not more than fifty of such persons shall be in either of said Hospitals at any one time.

SEC. 2. And be it enacted and ordained, That this ordinance shall take effect from and after the date of its passage.

On motion of Mr. Johnson the ordinance was read a second time, by special order, the preamble and title approved, and the ordinance declared passed.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the pump on the northeast corner of Eastern avenue and Castle street repaired, or if necessary to place a new one there, the expense of the same to be taken out of the annual appropriation for pumps for 1871.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

The Second Branch returned the following resolutions, severally endorsed "adopted:"

Resolution to lay gas mains on Sharp street, between Baltimore and Fayette streets, and on Cowpen alley, in the rear of Baltimore street.



Resolution authorizing the Mayor to appoint an additional lamplighter for the Western District.

On motion of Mr. Sommerlock, the Branch adjourned until Monday afternoon, February 13, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, February 13, 1871.

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The Branch met pursuant to adjournment.

Present, GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Kernan, Ward and Weaver.

Mr. Weitzell presented a petition from Henry R. Louderman and others, against the extension of space at the Fell's Point Market, which was read and referred to the Joint Standing Committee on Markets.

Mr. Weitzell presented a petition from J. K. Rusk and others, against the extension of space at the Fell's Point Market, which was read and referred to the Joint Standing Committee on Markets.

Mr. Trippe presented a communication from D. Adler, in reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Bond presented a petition from Haskell, Lynn & Co. for permission to manufacture "Warfield's Patent Cold Water Soap," at No. 33 South Eutaw street, which was read and referred to the Joint Standing Committee on Health.

Mr. Bond presented a proposition from the Travellers' Insurance Company, to insure the members of the Fire Department against accident, which was read and referred to the Joint Standing Committee on the Fire Department.

Mr. Johnson presented a communication from George R. H. Leffler, in reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Johnson presented a petition from John B. Gregory, Superintendent of Courthouse, for increase of salary, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Crout presented a communication from Thomas A. Brian, in reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Crout presented a memorial from Hugh Gelston and others, against bringing the Western Maryland Railroad in the city by the "turnpike route," and in favor of the "Gwynn's Falls route," which was read and referred, on motion of Mr. Crout, to the Joint Standing Committee on Ways and Means.

Mr. Torsch presented a petition from the Pacific and Atlantic Telegraph Company, for privilege of using the poles of the Fire Alarm Telegraph, which was read and referred to the Joint Standing Committee on Highways.

Mr. Johnson, from the Joint Standing Committee on the Harbor, submitted the following report and accompanying ordinance which were read :

The Joint Standing Committee on the Harbor, to whom was referred the ordinance providing for the appointment of three Harbor Masters in place of five, ask leave to report that they have given the matter the consideration due to it and are of the opinion that the interests of the city would

be better subserved by the passage of the ordinance, and they therefore submit the following ordinance and ask its adoption.

JOS. G. JOHNSON,  
A. E. SMYRK,  
J. C. RANDALL,

*First Branch.*

H. McCOY,  
JOHN MILROY,  
DANIEL CONSTANTINE,

*Second Branch.*

Mr. Randall, from the Joint Standing Committee on City Property, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on City Property, to whom was referred an ordinance to repeal and re-enact section 91, Article 43, of the Baltimore City Code, entitled "Streets and City Commissioner," have given the matter their careful consideration, and most respectfully recommend the passage of the accompanying ordinance.

J. C. RANDALL,  
JOHN F. SOMMERLOCK,  
J. H. FREEBURGER,

*First Branch.*

JESSE R. OGLE,  
JOHN MILROY,

*Second Branch.*

The President presented a petition from Rt. Rev. M. J. Spalding, for an annual appropriation for St. Mary's Industrial School for Boys, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Weitzell introduced an ordinance entitled an ordinance to open and condemn Register street lying between Lancaster and Thames streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have an old pump stock removed from the southeast corner of Sharp and Barre streets.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Tuesday, February 14, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Trippe, Bruce, Mills, Kernan, Ward, Johnson and Weaver.

It appearing from the call of the roll that a quorum was not present—

On motion of Mr. Crout, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Wednesday, February 15, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell and Kernan.

Mr. Trippe presented the annual report of the Free Dispensary of Washington University, with petition for annual appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Torsch presented the annual report of the Baltimore General Dispensary, with petition for annual appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Bond presented a communication from Francis A. Crook and others, in reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Sommerlock presented a petition from John Horn, keeper of Lexington Market, for an increase of pay, which was read and referred, on motion of Mr. Sommerlock, to the Joint Standing Committee on Markets.

Mr. Berry presented a memorial from the Piedmont and Arlington Life Insurance Co., proposing to insure the life of each fireman, which was read and referred to the Joint Standing Committee on the Fire Department.

Mr. Johnson presented a petition from William Wilkens and others, members of the West Baltimore Rifle Target Association, for certain privileges, which was read, and, on motion of Mr. Johnson, referred to the Joint Standing Committee on Police and Jail.

The President presented a petition from the Baltimore Eye and Ear Infirmary of the University of Maryland, for

an appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

The President presented a communication from Kingsley & Keeney, in reference to the improvement of Jones' Falls, covering a number of testimonials as to their responsibility, which was read and referred to the Joint Standing Committee on Jones' Falls.

The President presented the annual report of Chas. T. Holloway, Fire Inspector, which was read and referred to the Joint Standing Committee on the Fire Department.

And on motion of Mr. Mills, 250 copies of the same were ordered to be printed.

The President presented the following communication from his Honor the Mayor, covering a petition from James B. Andrews and others, in reference to removing wood from Long Dock, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, February 13, 1871.

*To the Honorable the Members of the First  
and Second Branches of the City Council :*

GENTLEMEN :—I have the honor to give to your consideration the enclosed petition, asking the *removal of wood from Long Dock*, and am

Very respectfully,  
ROBERT T. BANKS,  
*Mayor.*

On motion of Mr. Johnson, the communication and petition were referred to the Joint Standing Committee on the Harbor.

Mr. Mills presented a petition from Wm. Crichton and others, to have snow removed from Wood street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Mills presented a petition from Chas. H. Mercer and others, to have changed the name of Register street to Mc-

Douough street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Water, to whom was referred the resolution to remove an old pump stock on the southeast corner of Lombard and Poppleton streets, as also the petition of R. E. Cleveland & Co., for the removal of a pump stock from before their premises, Nos. 155 and 157 North Gay street, respectfully report that they have given the matter due consideration, and believe the said requests should be granted. They therefore herewith submit the following resolution, and ask its adoption.

LEWIS EHLERS,  
G. MORRIS BOND,  
JOHN M. BRUCE,

*First Branch.*

DANIEL CONSTANTINE,  
JOHN MILROY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have removed the two old pumpstocks, the one situated on the southeast corner of Lombard and Poppleton streets, and the other opposite the premises Nos. 155 and 157 North Gay street, and to have the wells of the same properly secured ; the expenses to be provided for in the annual appropriation for pumps for 1871.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Trippe offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the Committee on Health be respectfully requested to report, on to-morrow evening, an ordinance preventing the removal of snow from the tracks of the City Passenger Railways by the use of salt.

Mr. Trippe offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Health Officers of the city employ one hundred men for the space of three days, at the wages of one dollar per day, to remove the snow from the crossings, and at the gutters of cross streets, from Central avenue along Baltimore street to Eutaw street, along Eutaw to Madison avenue, and along Madison avenue to Lanvale street, and along Charles and St. Paul streets respectively from Baltimore street to Eager street, and along Fayette and Lexington streets respectively from Eutaw to North, and that the sum of three hundred dollars be appropriated therefor ; the same to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Trippe, the resolution was read a second time, by special order.

Mr. Berry offered the following amendment, which was read :

From Baltimore on Sharp street to Hill street, on Hanover street from Baltimore to Hill street, on Light to Hill street from Baltimore street, on Charles street from Baltimore to Hill street.

The question being on the amendment, Mr. Johnson called for the yeas and nays, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Mills, Torsch, Randall, Berry, Freeberger, Ehlers, Johnson and Weaver—10.

*Nays*—Messrs. Trippe, Bruce, Smyrk, Ward, Bond, Price, Sommerlock and Crout—8.



The amendment was declared adopted.

Mr. Bond offered the following amendment, which was read :

Strike out the figures "50," and insert in lieu thereof the figures 100; and strike out the words "one hundred and fifty dollars," and insert in lieu thereof the words three hundred dollars.

The amendment was declared adopted.

Mr. Trippe offered the following amendment, which was read :

And on Gay street, from Baltimore to Aisquith street.

The amendment was declared adopted.

Mr. Smyrk offered the following amendment, which was read :

Add the words, "Central avenue to Fell Street Market, via Broadway."

The amendment was declared adopted.

Mr. Mills offered the following amendment, which was read :

Insert "\$1.50" per day, instead of "\$1.00."

The question being on the amendment, Mr. Sommerlock demanded the yeas and nays, resulting as follows:

*Yeas*—Messrs. President, Hudgins, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers and Weaver—15.

*Nays*—Messrs. Trippe, Johnson, and Crout—3.

The amendment was declared adopted.

Mr. Price offered the following as a substitute for the original resolution and amendments, which was read:

Resolved by the Mayor and City Council of Baltimore, That the Health Commissioner be authorized to employ 100 men—five to be taken from each ward—at \$1.50 per diem, to clean the crossings and gutters on the principal thoroughfares of the city, wherever he may deem necessary; the same to be paid by the Register out of any money not otherwise appropriated.

On a motion by Mr. Johnson to refer the whole subject to the Joint Standing Committee on Health, Mr. Berry demanded the yeas and nays, resulting as follows:

*Yeas*—Messrs. President, Hudgins, Bruce, Torsch, Randall and Johnson—6.

*Nays*—Messrs. Trippe, Smyrk, Mills, Ward, Bond, Price, Sommerlock, Berry, Freeberger, Ehlers, Weaver and Crout—12.

The Branch refused to refer.

On a motion by Mr. Johnson to lay the subject on the table, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows:

*Yeas*—Messrs. President, Torsch, Randall and Johnson—4.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Bond, Price, Sommerlock, Berry, Freeberger, Ehlers, Weaver and Crout—14.

The Branch refused to lay the subject on the table.

The question recurring on the resolution offered by Mr. Price, Mr. Johnson moved to adjourn, on which he demanded the yeas and nays, resulting as follows:

*Yeas*—Mr. Johnson.

*Nays*—Messrs. President, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Weaver and Crout—17.

The Branch refused to adjourn.

On a call by Mr. Crout for the previous question, Mr. Johnson demanded the yeas and nays, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Trippe, Ehlers and Crout—4.

*Nays*—Messrs. Bruce, Smyrk, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Johnson and Weaver—13.

During the call, Mr. Johnson asked to be excused from voting, upon which he demanded the yeas and nays, resulting as follows :

*Yeas*—Messrs. President, Smyrk, Mills, Ward, Sommerlock and Crout—6.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Torsch, Bond, Price, Randall, Berry, Freeberger, Ehlers and Weaver—11.

The main question was ordered to be put.

The question being on the substitute, Mr. Sommerlock demanded the yeas and nays, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver and Crout—18.

*Nays*—None.

The substitute was declared adopted.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have a street lamp placed on the north-east corner of Charles street and North avenue. The expense of the same to be provided for in the annual levy for 1871.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Price offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Joint Standing Committee on Police and Jail be instructed to investigate, and prepare an ordinance, to provide for all members of the police force who, for the last three years, have been killed or injured whilst in the discharge of their duties, as well as to establish a general provision for the members of said force who may hereafter be hurt, injured, disabled or killed whilst on duty.

Mr. Berry submitted an ordinance entitled "An ordinance to provide for the ultimate widening of Light street, from Pratt street to Lee street," which was read and referred to the Joint Standing Committee on Highways.

Mr. Johnson offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Comptroller be, and he is hereby, directed to prepare a list of the number of vacant lots of ground, and the localities of the same, owned by the city, and to furnish said list to this Branch as soon as it is expedient.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Building Committee of the New City Hall be, and they are hereby, authorized to pay, or to have paid to Messrs. E. Mills & Son, the sum of money, ten per cent. on the amount of their contract, retained by said Building Committee as a part guarantee for the faithful completion of the same ; provided said payment is compatible with the public interest.



On motion of Mr. Johnson, the resolution was read a second time, by special order.

Mr. Trippe offered the following amendment, which was read :

The said Building Committee deem it advisable so to do.

The amendment was declared adopted.

The question being on the resolution, it was declared adopted.

On motion of Mr. Crout, the Branch adjourned until tomorrow afternoon, at five o'clock.

By order,

W. H. COLE, *Clerk.*

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## Thursday, February 16, 1871.

The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Kernan.

Mr. Price presented a proposition from the Travellers' Insurance Company to insure the members of the Police Force, which was read and referred to the Joint Standing Committee on Police and Jail.

Mr. Bruce presented a memorial from George S. Brown and others, regarding the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

The President presented a proposition from Daniel Mulin & Son to clean the streets, cro-sings, mouth of sewers, &c., for \$100,000 per annum, which was read and referred to the Joint Standing Committee on Health.

Mr. Johnson presented a communication from Paul Rust and others, in reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Weaver, from a minority of the Committee on Health, introduced the following ordinance, which was read :

An ordinance to restrain the evil practice of throwing salt about the streets of the city.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passage of this ordinance it shall not be lawful for any person, or corporation, or the agent or agents of any corporation, to cast, throw, drop or deposit into or upon any of the streets, lanes or alleys of the city, any salt, or mixture of salt, for the purpose of melting ice or snow ; persons so offending shall forfeit and pay the sum of twenty dollars for every such offense. And wherever two or more persons are engaged in so casting, throwing, dropping or depositing any salt, or mixture of salt, as aforesaid, each and every of said persons shall be deemed guilty, and shall forfeit and pay the said sum of twenty dollars for every such offence.

The ordinance was declared laid upon the table.

Mr. Price immediately called up the said ordinance.

The question being upon the ordinance, Mr. Bruce moved to fill the blank fixing the penalty with \$500.

Mr. Price moved to fill the blank with \$5.

Mr. Bond moved to fill the blank with \$20.

The question being on the motion of Mr. Bruce, it was declared lost.

The question recurring on the motion of Mr. Bond, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas* — Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Bond, Sommerlock, Berry, Freeberger, Weaver and Crout—14.

*Nays*—Messrs. Price, Randall and Ehlers—3.

The motion was declared adopted.

Mr. Bond offered the following amendment, which was read and adopted :

For each square or portion of a square upon which such salt or other injurious matter shall be cast as aforesaid.

Mr. Trippe offered the following amendment, which was read and adopted :

SEC. 2. And be it enacted and ordained, That this ordinance shall take effect from and after the date of its passage.

Mr. Trippe moved to reconsider the first section of the bill.

The motion was declared adopted.

Mr. Trippe offered the following amendment, which was read and adopted :

Insert after the word "person," the words "or corporation."

Mr. Johnson moved the ordinance be made the order of the day for Monday afternoon next, at 5 o'clock.

The question being on the motion of Mr. Johnson, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. Smyrk, Randall, Ehlers and Johnson—4.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Bond, Price, Sommerlock, Berry, Freeberger, Weaver and Crout—15.

The motion was declared lost.

The question recurring on the passage of the ordinance,

Mr. Johnson moved the ordinance be laid over and made the order of the day for Wednesday afternoon next, at 5½ o'clock, upon which, Mr. Mills demanded the yeas and nays, resulting as follows :

*Yeas*—Messrs. Weitzell, Smyrk, Bond, Price, Randall, Ehlers, Johnson and Crout—8.

*Nays*—Messrs. President, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Sommerlock, Berry, Freeberger and Weaver—11.

The motion was declared lost.

The question recurring on the passage of the ordinance, the title was approved and the ordinance declared passed.

Mr. Price offered a message to the Second Branch, proposing that when the Council adjourn this evening, it stand adjourned until Wednesday next.

The motion was declared adopted.

Mr. Bruce offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the Health Commissioner be authorized to employ men and carts to clean the snow from the bed of Forrest street, on the east side of Belair Market, from Ensor street to Orleans street, as that side of the street is used on a market day and certain nights at certain hours.

Mr. Bruce moved to suspend the rules.

The Branch refused to suspend the rules.

Mr. Mills offered the following resolution, which was read and laid on the table :

Resolved by the Mayor and City Council of Baltimore, That the Health Officer be, and he is hereby, directed and



authorized to have the snow removed from Wood street, between South street and Bowly's wharf, and \$50, or so much thereof as may be necessary, be appropriated for the same.

Mr. Johnson presented the following communication, which was read and ordered to be printed :

HEALTH OFFICE, OLD CITY HALL,  
Baltimore, February 14, 1871.

*To G. Morris Bond, Esq.,  
Chairman of Committee for First Branch:*

SIR—In reply to your inquiry addressed to the Commissioner of Health on the 14th inst., as to "whether or not the practice of salting the public streets, in order to get rid of snow, is injurious to public health," that officer answers that the opinion of the medical profession is undecided in regard to it, and that he has no data on which to base an opinion.

Very respectfully,

MILTON N. TAYLOR, M. D.,  
*Commissioner of Health.*

A report from the Joint Standing Committee on Ways and Means, with the accompanying ordinance, was received from the Second Branch and read :

An ordinance to authorize the appointment of an additional lamplighter.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That section 106 of Article 43 of the Baltimore City Code, be so amended as to authorize the Mayor to appoint an additional lamplighter for the Southern District of Baltimore city.

SEC. 2. And be it further enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Ehlers, the ordinance was read a sec-

ond time, by special order, the title approved, and the ordinance declared passed.

The following ordinance was received from the Second Branch and read and laid on the table :

An ordinance in relation to the paving of Fulton avenue, between Franklin street and North avenue.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner, with the approbation of the Mayor, be and hereby is authorized, upon the application in writing of the proprietors of a majority of the feet of ground binding and fronting on Fulton avenue, between Franklin street and North avenue, or of any part thereof of not less than one square, to contract for paving ten feet on each side of said avenue, and graveling forty feet in the centre, leaving the footways twenty feet wide ; and in all other respects, to conform to the ordinances of the city regulating the paving of streets.

A report from the Joint Standing Committee on the Fire Department, with the accompanying resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That permission be granted to Johannes Hausler to build a two story porch to his house, situated on the southwest corner of Orleans and Wolfe streets.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, directed to have gas mains laid on Fayette street, from Wolfe to Castle street, and on Castle street, from Fayette to Orleans street.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

A message was received from the Second Branch, concurring in our proposition to adjourn until Wednesday next.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Health Commissioner be, and he is hereby, directed to have the snow on Baltimore street, from Paca street to Exeter street, hauled away from said street, and to have the crossings of all streets kept clear of snow and mud, nothing in this resolution to be considered as exonerating the City Passenger Railway Company from its duty under existing ordinances and resolutions in relation to cleaning its tracks.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and, on motion of Mr. Johnson, it was laid upon the table.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, February 16, 1871

*Gentlemen of the First Branch :*

We respectfully request that you return to this Branch the message announcing its concurrence in your proposition to adjourn until Wednesday next.

By order.

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Johnson, the Branch concurred in the message, and the first message was returned.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, February 16, 1871.

*Gentlemen of the First Branch :*

We respectfully announce that we have non-concurred in your proposition to adjourn until Wednesday next, and respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Thursday evening next, at 5 o'clock.

By order,

GEO. T. BEALL, Jr., *Clerk.*

The Second Branch returned the following resolutions, severally endorsed "adopted :"

Resolution in favor of A. Rice.

Resolution for removal of pump stock on Lombard and Poppleton streets, and also opposite Nos. 155 and 157 N. Gay street.

Resolution to remove pump stock on corner of Sharp and Barre streets.

Resolution to place a lamp on corner of Charles street and North avenue.

Resolution authorizing the Health Commissioner to employ one hundred men to clean the thoroughfares of the city.

On motion of Mr. Ehlers, the Branch adjourned until Thursday afternoon next, Feb. 23, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Thursday, February 23, 1871.

The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Smyrk and Crout.

Mr. Ward presented a petition from Wm. Carmichael and others, butchers in the Maryland Institute Market, for reduction of rent of stalls, which was read and referred to the Joint Standing Committee on Markets.

Mr. Bond presented a petition from Messrs. Laurenson & Smith, to have refunded taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Health, to whom was referred the petition of Haskell, Lyon & Co., asking permission to manufacture "Warfield's Patent Cold Water Soap," at No. 33 S. Eutaw street, beg leave to report that they find that the requirements of the law have been complied with in the matter, and believe that the privilege asked should be granted. They suggest the passage of the accompanying resolution :

G. MORRIS BOND,  
JOS. G. JOHNSON,  
J. HARRY WEAVER,  
*First Branch.*

A. W. DUKE,  
JESSE R. OGLE,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That leave be, and the same is hereby, granted to Messrs. Haskell, Lyon & Co. to carry on the manufacture of "Warfield's Patent Cold Water Soap," on the premises No. 33 South Eutaw street.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Trippe introduced an ordinance entitled "An ordinance to provide for the appointment of a Superintendent of the Public Grounds of Baltimore City," which was read and referred to the Joint Standing Committee on Parks.

Mr. Bruce offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have a gas main laid on Edward street, between Aisquith and Canal streets.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

Mr. Kernan offered the following resolution, which was read :

Whereas, The Irish exiles, now in this city, are martyrs to the great and common cause of liberty, and in appreciation of their exalted patriotism, therefore, be it

Resolved by the Mayor and City Council of Baltimore, That the hospitalities of the city be extended to the Irish exiles now in Baltimore, and that a Joint Special Committee of three from each Branch of the City Council be appointed to convey this resolution to them immediately, and that they be extended the courtesy of the floor of the Council.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

The Chair named as the committee on the part of this Branch—Messrs. Kernan, Price and Berry.

Mr. Ehlers introduced the following ordinance, which was read :

An ordinance supplemental to an ordinance fixing the salaries of the Clerks of the several Markets, Baltimore City Code, Article 32, section 68.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the first day of March, eighteen hundred and seventy-one, the salary of the Clerk of the Cross Street Market shall be six hundred dollars per annum; provided, that it shall be the duty of said Clerk, in addition to the duties now performed by him, to take full charge of the hall over said market, to keep said hall in a cleanly condition, and to light it up when necessary.

SEC. 2. And be it enacted and ordained, That all ordinances, or parts of ordinances, so far as they conflict with the provisions of this ordinance, be and the same are hereby repealed.

On motion of Mr. Johnson the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

On motion of Mr. Freeberger, a committee of two was appointed to invite the Second Branch into convention with the First for the purpose of electing a School Commissioner for the 16th Ward, in place of Dr. C. C. Richardson, resigned.

The Chair appointed as said committee, Messrs. Freeberger and Weitzell.

The two Branches then went into convention, and after remaining therein for some time, the members of the Second Branch returned to their Chamber.

Business being resumed—

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the recommendation of the Mayor in his annual message, that the office of "Clerk to the Mayoralty" be created by ordinance, respectfully report that in view of the accumulated duties as Clerk of the Messenger of the Mayor, and inasmuch as the recommendation of his Honor is not for the appointment of a new officer, but solely for the redivision of the duties of the present employees, with a slight addition of salary to the Clerk, they respectfully recommend the adoption of the following ordinance :

A. C. TRIPPE,

BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,

H. McCOY,

WM. H. VICKERY,

*Second Branch.*

An ordinance to provide for the appointment of a Clerk to the Mayor, and prescribing his duties, and to prescribe the duties of the Janitor of the City Hall.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That there shall be annually appointed, as other city officers are appointed, a Clerk to the Mayor, whose duty it shall be to attend at the office of the Mayor during business hours, and to perform such duties as the Mayor may prescribe ; and the said Clerk shall have charge of the City Library, under the direction of the Register and Comptroller, and shall attend to the receiving and delivering of all books intended for or contained therein, and classify, mark or number the same when necessary.

SEC. 2. And be it enacted and ordained, That the Janitor of the City Hall shall, in addition to the duties heretofore devolved upon him by law, perform such other duties as may be prescribed by the Mayor, Register and Comptroller.



SEC. 3. And be it enacted and ordained, That the compensation of the Clerk to the Mayor shall be one thousand and fifty dollars per annum, and that he shall give a good and sufficient bond in the sum of two thousand dollars for the faithful performance of his duties.

SEC. 4. And be it enacted and ordained, That this ordinance shall take effect from the first day of March next.

On motion of Mr Trippe, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

The Second Branch returned the resolution in reference to the Irish exiles, endorsed "adopted," with the appointment on behalf of the Second Branch of Messrs. Kerr, McCoy and Gross as committee.

On motion of Mr. Kernan, the Branch took a recess of twenty minutes.

The Branch being again called to order —

Mr. Johnson moved that a committee of two be appointed to invite the Second Branch to take seats in the Chamber of the First for the purpose of meeting the Irish exiles.

The Chair named as said committee—Messrs. Johnson and Trippe.

The members of the Second Branch appeared and were seated.

Mr. Price, on behalf of the Joint Special Committee, welcomed the Irish exiles, viz: Gen. Thomas Francis Bourke, Dr. Edmond Power, Dr. D. D. Mulcahy, Capt. John McClure, Henry S. Mulleda, E. P. St. Clair, George Brown, Peter Manghan, P. Walsh and P. O'Leary.

Gen. Thomas Francis Bourke responded on behalf of the exiles. After which they returned to the Second Branch Chamber.

On motion of Mr. Johnson, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Friday, February 24, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Mills, Bond and Crout.

On motion of Mr. Johnson, the Branch adjourned until tomorrow afternoon, at five o'clock.

By order,

W. H. COLE, *Clerk.*

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Saturday, February 25, 1871.

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The Branch met pursuant to adjournment.

Present, GEO. W. BISHOP, Esq., President, and the following members—Messrs. Smyrk, Ward, Bond, Sommerlock, Berry and Weaver.

It appearing from the call of the roll that a quorum of members was not in the Branch—

On motion of Mr. Sommerlock, the Branch adjourned until Monday afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Monday, February 27, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Crout.

The President announced that the continued absence of the gentleman from the 20th Ward, Mr. Crout, is occasioned by sickness.

Mr. Hudgins, from the Committee of Conference of the Board of Public School Commissioners, submitted a report and accompanying resolution in reference to the building of a new school house in the northeastern section of the city, which was read and referred to the Joint Standing Committee on Education.

Mr. Trippe presented a petition from C. S. Maltby, in reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones.

Mr. Smyrk presented a petition from Geo. J. Appold and others, for tunneling Harford run, from Eager street to Belair avenue, which was read and referred to the Joint Standing Committee on Highways.

Mr. Ward presented a petition from Chas. H. Duhurst and others, against the removal of wood from Dugan's and McElderry's Wharves, which was read and referred to the Joint Standing Committee on the Harbor.

Mr. Bond presented a petition from John J. Husband, for the payment of bill of work done on Central College, Park street, which was read and referred to the Joint Standing Committee on Claims.

Mr. Bond presented a communication from "A Property Holder," on the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Price presented a petition from the Judges of the Appeal Tax Court, for an increase of pay, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Berry presented a communication from William H. Downes, for the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Johnson presented a memorial from E. Mills, Jr., in reference to the payment of money due him for roofing Lafayette Market house, which was read and referred to the Joint Standing Committee on Markets.

Mr. Mills presented a communication from J. J. Husband, in reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

The President presented a communication from Jno. Albaugh and others, for the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance which were read:

The Joint Standing Committee on Ways and Means, to whom was referred the application of the Clerk to the City Commissioner, for an increase of salary, respectfully report, that in their opinion the duties of his office require it. He is the only clerk in the Department, and his duties have increased twofold since the establishment of the office at its present salary. The Committee, therefore, ask the adoption of the following ordinance.

ANDREW C. TRIPPE,  
BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,  
H. McVOY,  
WM. H. VICKERY,

*Second Branch.*



An ordinance fixing the salary of the Clerk of the City Commissioner.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the salary of the Clerk to the City Commissioner be, and hereby is, fixed at fifteen hundred dollars per annum, commencing with the first day of March, eighteen hundred and seventy-one.

SEC. 2. Be it enacted and ordained, That all ordinances, and parts of ordinances conflicting with this ordinance be, and the same are hereby, repealed.

SEC. 3. Be it further enacted, That this ordinance take effect from the first day of March next.

On motion of Mr Trippe, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the petition of Thos. H. Coulter and Jno. R. Gibson, watchmen at the City Hall, beg leave to report, that the duties of these officers extend for twelve hours each, per day, Sundays not excepted, and that they also perform Janitor's duties. Your Committee do not think they are adequately paid, and therefore recommend the adoption of the following ordinance.

A. C. TRIPPE,  
BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,  
H. MCCOY,  
WM. H. VICKERY,

*Second Branch.*

An ordinance to fix the pay of the night and day watchmen of the City Hall.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the night and day watchmen of the City Hall shall each receive fifty dollars per month, as salary.

SEC. 2. Be it further enacted and ordained, That all ordinances, and parts of ordinances conflicting with this ordinance be, and the same is hereby, repealed.

SEC. 3. Be it further enacted and ordained, That this ordinance take effect from the first of March next.

On motion of Mr. Freeberger, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Col Robertson, Secretary to the Mayor, appeared at the bar of the Branch with a sealed communication from his Honor the Mayor.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the application of the Comptroller and his Clerks for an increase of salary, respectfully report, That in their opinion the Salary of the Comptroller is wholly inadequate, in view of the laborious and responsible duties of that office; it is much below that of the head of any department of the City government, and your Committee believe that the dictates of sound policy require that it should be raised. Your Committee are further of the opinion that the small number of Clerks in this department render their duties proportionally more arduous than those of other departments, more particularly as they are frequently employed in furtherance of the labors of Committees of this body; they therefore recommend the adoption of the following ordinance.

ANDREW C. TRIPPE,  
BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
WM. H. VICKERY,

*Second Branch.*

**An ordinance to fix and establish the salaries of the City Comptroller's Department.**

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the salary of the City Comptroller be fixed and established at the sum of two thousand five hundred dollars per annum; the salary of the Chief Clerk of the Comptroller's Department at the sum of one thousand three hundred and fifty dollars; and the salary of the Assistant Clerk of the Comptroller's Department at the sum of one thousand dollars per annum, payable monthly.

SEC. 2. And be it enacted and ordained, That the provisions of the first section of this ordinance shall take effect from and after the first day of March, eighteen hundred and seventy one; and that all ordinances, or parts of ordinances inconsistent with this ordinance be, and the same are hereby, repealed.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order.

Mr. Johnson offered the following amendment, which was read :

In first section, strike out the words "thirteen hundred and fifty," and insert in lieu thereof the words "fifteen hundred."

The question being on the amendment, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Johnson, and Weaver—8.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bond, Price, Sommerlock, Randall, Berry, Freeberger, and Ehlers—11.

The amendment was declared lost.

Mr. Johnson offered the following amendment, which was read :

In first section, strike out the words "thirteen hundred and fifty," and insert in lieu thereof the words "fourteen hundred."

The question being on the amendment, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. President, Hudgins, Trippe, Bruce, Smyrk, Mills, Keruan, Ward, Torsch, Price, Freeberger, Ehlers, Johnson, and Weaver—14.

*Nays*—Messrs. Weitzell, Bond, Sommerlock, Randall, and Berry—5.

The amendment was declared adopted.

Mr. Johnson offered the following amendment, which was read:

In first section, strike out the words "one thousand," and insert in lieu thereof the words "twelve hundred dollars."

Mr. Trippe offered the following substitute, which was read and adopted:

In the amendment, strike out the word "twelve," and insert in lieu thereof the word "eleven."

The question being on the passage of the ordinance, the title was approved and the ordinance passed.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Ways and Means, to whom was referred the petition of the Superintendents of Streets for an increase of pay, respectfully report, That the growth of the city since the establishment of that office at its present salary, has increased their duties many-fold, and they believe that a moderate increase of salary would be manifestly just. They therefore ask the adoption of the following ordinance.

A. C. TRIPPE,  
BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
WM. H. VICKERY,

*Second Branch.*



An ordinance to increase the pay of the Superintendents of Streets.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Superintendents of Streets shall each receive from the Register, whose duty it shall be to pay the same, as a compensation for his services, the sum of nine hundred dollars per annum, payable monthly.

SEC. 2. Be it enacted and ordained, that all ordinances, and parts of ordinances in conflict with this ordinance be, and the same are hereby, repealed.

SEC. 3. Be it enacted and ordained, That this act take effect from the first day of March next.

On motion of Mr. Trippe, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

On motion of Mr. Trippe, a committee of two was appointed to invite the Second Branch into convention with the First on a sealed communication from his Honor the Mayor.

The Chair named as such committee—Messrs. Trippe and Johnson.

The two Branches then went into convention, and after remaining therein for some time, the members of the Second Branch returned to their Chamber.

Business being resumed—

On motion of Mr. Hudgins, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Tuesday, February 28, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Bruce and Crout.

Mr. Mills presented a petition from Mary Meredith, to have refunded taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Mills presented a petition from Wm. H. Brown & Co. and others, against repeal of ordinance No. 73, in relation to opening private alley running from German to Lombard street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Mills presented a petition from John R. Barnes and others, in reference to the condition of Spring street, between Biddle and John streets, and for its grading and paving, which was read and referred to the Joint Standing Committee on Highways.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the application of the Superintendents of Lamps for an increase of pay respectfully report, That in their opinion the present salary of eight dollars per week is wholly inadequate compensation to those employees for their duties, and your Committee therefore ask the adoption of the following ordinance.

A. C. TRIPPE,  
BENJAMIN PRICE,  
*First Branch.*

CHAS. G. KERR,  
H. MCCOY,  
*Second Branch.*

An ordinance to determine the salaries of Superintendents of Lamps.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That each of the Superintendents of Lamps shall receive as salary the sum of ten dollars per week.

SEC. 2. Be it enacted and ordained that all ordinances, and parts of ordinances conflicting with this ordinance be, and the same are hereby, repealed.

SEC 3. Be it enacted and ordained, that this ordinance take effect from the first day of March next.

On motion of Mr. Trippe the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the memorial of Hugh Gelston and others against the adoption by the Western Maryland Railroad Company of the line known as the "Turnpike route" from Owings' Mills to the city of Baltimore, respectfully report that they have carefully considered the subject of the memorial in connection with the ordinance establishing a route between the points named, and believe that the Council have no authority in the premises.

The ordinance providing for the last endorsement by the city of the Company's bonds (section 8) provides that before any of said bonds are delivered to the Company, the "said Company shall have located a new, direct and independent line of railroad from a point at or near Owings' Mills to a point in the city of Baltimore west of Pennsylvania avenue." The object of the Council in making this provision was to obtain an independent line between the points named, in order to avoid the present connections, which absorbed an unreasonable amount of the Company's earnings, and to se-

cure the building of that portion of the road, by withholding the delivery of all bonds until the line should be determined ; but its location was left entirely to the discretion and judgment of the directors of the railroad, and they were at perfect liberty to take what route between the two points named they pleased. Your committee therefore request to be discharged from the further consideration of the subject, and ask the adoption of the following resolution.

A. C. TRIPPE,  
BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
WM. H. VICKERY,

*Second Branch.*

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the application of the Judges of the Appeal Tax Court, respectfully report that, in their opinion, the duties of that office have increased many-fold during the last few years. The number of building permits issued in 1868 were 1,400, and in 1870 were 4,600, and the value of the buildings so erected were \$6,000,000. The responsibility and control of the whole real and personal estate of the city devolves upon them, and they have exercised great diligence in the performance of their duties. The Committee, therefore, ask the adoption of the following ordinance :

ANDREW C. TRIPPE,  
BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,

*Second Branch.*



An Ordinance to fix the salaries of the Judges of the Appeal Tax Court.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That each of the Judges of the Appeal Tax Court shall receive as salary the sum of \$1,800 per annum.

SEC. 2. Be it enacted and ordained, That all ordinances, and parts of ordinances, conflicting with this ordinance be, and the same are hereby, repealed.

SEC. 3. Be it enacted and ordained, That this ordinance take effect from the first day of March next.

On motion of Mr. Trippe, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the petition of the lamplighters, watchmen of Old Masonic Temple, and the Superintendent of the Court-house, respectfully report that in their opinion the present salaries of these officers are sufficient for the duties performed. Your committee in considering the many applications of like nature made to them have examined carefully into the nature and extent of the duties performed, and while they are satisfied of the propriety of the changes they have made, are no less of the opinion that others are not demanded. In the opinion of your committee every community should pay its officials a full and just compensation for their services, and, on the other hand, should maintain a proper economy. Your committee theretofore request to be discharged from the further consideration of the subject, and ask for the adoption of the following resolution.

A. C. TRIPPE,  
BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
WM. H. VICKERY,

*Second Branch.*

Resolved that the committee be discharged from the further consideration of the subject.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, having been instructed by the accompanying resolution of both Branches of the Council, "to investigate the expenses of the Committees, and recommend suitable measures to secure economy therein," respectfully report :

Your Committee have carefully examined the accounts kept in the office of the City Comptroller, of all the expenses of the City Council during the past year, including those which are especially and properly designated as the expenses of the various Committees.

The total amount charged as expenses of the City Council for the year 1870 is \$46 802.02. This includes the per diem of members ; the pay of all the clerks, and other officers of each Branch ; the cost of printing and stationery ; the bills for repairs done to the Council Chambers, and their furniture ; the expenses of Special Committees authorized by resolutions of the Council ; as well as the expenses of the regular Standing Committees.

We found also an item of \$3,053.50 included in, and paid out of the gross sum above named, not properly belonging thereto, but which was for balance of fees due Messrs. Chesbrough & Hughes, for services during the previous year, as Consulting Engineers in the Jones' Falls matter.

The expenses of the Committee sent to represent the City of Baltimore at the funeral of the late George Peabody, together with the bills for the entertainment of the British officers who came here, amount in the aggregate to \$4,217.95.

The reception of the members of the Ohio Legislatures, who visited Baltimore about a year ago, which was thought at the time, not only by the Council, but by many of our

leading merchants who participated in it, a measure of judicious hospitality, cost the sum of \$2,272.15.

The printing authorized by the Council, and the stationery furnished its members and employees, cost \$10,245.93.

The charge of per diem of members, and salaries of clerks and other officers, shows a sum of \$13,951.50.

Of this sum only \$4,400 was paid to the thirty members, being one dollar and fifty cents to each member for every day of the session.

The expenses of all kinds incurred by the regular Committees, including hack hire, restaurant, and all other bills, amount to \$6,189 55, and this forms the subject immediately under consideration.

We give only the gross amount, and do not specify what is charged to each committee, or mention the names of members, upon whose authority, as chairmen, the different payments were made, because we cannot for a moment imagine that future economy will be in the slightest degree secured by provoking useless, and, perhaps, personal discussion, either in the Council or out of it, as to possible instances of past extravagance. In our judgment, enough is shown by the figures presented to convince both the Council and the community that the popular rumors which prompted this investigation grossly exaggerated facts, and strangely misrepresented the disposition of the late City Councilmen to make their official positions the mere pretext for personal indulgence at the public expense. By adding together the amount of per diem paid the members and the amount of committee expenses, and by making the necessary division of the sum so ascertained, it will be seen that the average cost of each City Councilman last year was exactly \$386 31, or at the rate of \$3.22 for each day of the session. We do not pretend, in this way, to justify any expenditure not rendered necessary by the duties of a committee, or by the circumstances under which those duties are performed, but we think the fact should be made known, in answer to contrary assertion, that the late Council, so far at least as the personal expense of its members is concerned, did not cost the city a very unusual or extravagant sum. The per diem above stated, including each man's share of the committee expenses, is less than that of Councilmen and Aldermen in most of the large cities we know of, where such officials are paid at all. The gross sum indicated is much below the



mere "*committee expenses*" entailed upon some other cities where Councilmen are supposed to work for nothing.

In our consideration of "suitable measures" of economy and reform, two inquiries occurred to us, at once, which it might be well for the Council to pursue: 1st. Whether the city's interest might not be promoted, and public money in the long run saved, by paying our Councilmen a fair and reasonable compensation for the time and labor required of them. 2d. Whether, by abolishing the per diem and pay of all kind, the municipal electors would secure the services of those men only whose fortunes and ample leisure would induce them to legislate wisely as well as gratuitously.

It is no part of our present business to discuss these questions, but we cannot help thinking, and we deem it pertinent to express the opinion, that the small and inadequate compensation now given has no beneficial effect whatever, and probably tends to make members less thoughtful than they otherwise would be, about their personal expenses in the city's service.

The office of a Councilman is by no means a sinecure in a city of three hundred thousand inhabitants, if its duties are properly appreciated and faithfully discharged. The mere attendance upon the sessions of the Council for about two hours in the evening, for one hundred and twenty days in the year, is comparatively light work. The meetings of committees, and the duties of committees outside of their meetings, occupy, however, the time and attention of members very often in the morning, to the exclusion of private business, and require serious labor and much personal inconvenience. These are the occasions when "*committee expenses*" are chiefly incurred, when Councilmen take hacks to convey them from place to place on public business, and when prevented from dining at their own homes, they charge the city for the meals they take at Rennert's or elsewhere. If we could avoid this practice altogether, it would undoubtedly be better to do so; but as Councilmen can scarcely be expected to pay all these incidental expenses themselves, out of one hundred and eighty dollars a year, we may only hope to prevent serious abuses of the custom.



We have had before us, and return herewith a resolution offered in the First Branch, requiring a previous resolution of the Council to authorize the payment of any of these expenses.

The adoption of this resolution, or rather of an ordinance of the Mayor and City Council making the same provision, would, in our judgment, unnecessarily and injuriously embarrass the committees in the discharge of their duties, particularly when the Council was not in session. We think that the purpose desired—that of preventing any reckless or uncalled for expenditure—would be quite as effectually accomplished by making it the duty of some one committee to examine and approve all accounts or charges of the kind before their payment by the Register. We think it very important that such a check should be imposed not only upon the thoughtlessness of members themselves, but as well upon the excessive charges of those with whom they deal. We have, therefore, prepared an ordinance, which we herewith submit to the Council, and ask to be discharged from the further consideration of the subject.

ANDREW C. TRIPPE,  
BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
WM. H. VICKERY,

*Second Branch.*

An ordinance to secure economy in the expenses of the City Council.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passage of this ordinance the City Register shall pay no claim, order, or demand made upon him for committee or other expenses of the City Council not authorized by ordinance or resolution, unless he shall have produced to him, together with the warrant of the City Comptroller, the account of

such expenses, with the endorsement and approval thereon of a majority of the members of the Joint Standing Committee on Claims existing at the time such expenses were incurred.

SEC. 2. Be it enacted, That it shall be the duty of the Joint Standing Committee on Claims of each Council to examine carefully all accounts presented to them of committee or other expenses of the Council not authorized by resolution or ordinance; and they shall require satisfactory evidence to be produced to them of the correctness of such accounts; and if for committee expenses, they shall require the endorsement of a majority of the committee interested, and a full statement of the charges made, and evidence of the propriety and reasonableness of such charges. They shall then endorse on such accounts their approval or rejection thereof, and certify the same to the City Comptroller.

SEC. 3. Be it enacted, That all ordinances or parts of ordinances inconsistent with the provisions of this ordinance be, and the same are hereby, repealed, and that this ordinance shall take effect from and after the date of its passage.

On motion of Mr. Trippe, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Highways, to whom was recommitted the ordinance for the condemnation and opening of Eutaw street, from Mt. Hope Lane to North avenue and Presbman street, from Madison to Linden avenues, as passed by the Second Branch of the City Council, together with the remonstrance of G. Rosenstret, against the passage of said ordinance, having given the subject their

consideration, respectfully recommend the passage of the ordinance as received from the Second Branch:

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

An ordinance for the condemnation of Eutaw street, formerly Gibson street, between Mt. Hope lane and North avenue, and Presstman street, between Madison and Linden avenues, as laid down on Poppleton's plat.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore—(the necessary legal formalities required by Art. 4, sec. 842 of the Public Local Laws of Maryland having been duly complied with)—That all that portion of Eutaw, formerly Gibson street, between Mt. Hope Lane and North avenue, and all that portion of Presstman street between Madison and Linden avenues, as laid down on Poppleton's plat, be, and the same are hereby, condemned for the purposes of a public highway.

SEC 2. And be it enacted and ordained, That all ordinances, or parts of ordinances inconsistent with the provisions of this ordinance be, and the same are hereby, repealed.

On motion of Mr. Mills, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Highways, to whom was referred the petition of John Stewart and others, asking for the condemnation and opening of Dolphin street, between Pennsylvania avenue and Chatsworth street, respectfully state that they have examined the said location and believe it to be proper and right to have said street opened. They therefore submit the following ordinance, and respectfully ask its passage.

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

An ordinance to condemn and open Dolphin street from Pennsylvania avenue to Chatsworth street.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, authorized and directed to condemn and open all that part of Dolphin street lying between Pennsylvania avenue and Chatsworth street as laid down on Poppleton's plat of the city of Baltimore.

SEC. 2. And be it enacted and ordained, That any person or persons, or body corporate, who may be dissatisfied with the assessment of damages or benefits which may be made by the said Commissioners may appeal to the Baltimore City Court at the time, in the manner, and after like notice by the Register, as provided for by Article 43 of the Baltimore City Code; and that the Collector and Register of the City shall also perform such duties in relation to streets as are required of them by the provisions of said Article.



On motion of Mr. Sommerlock, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Jas. L. Hagerty and others, asking the repeal of Ordinance No. 58, of 1869, providing for "the condemnation of a certain sharp projection northeast corner of Lanvale street in such a manner as to straighten the said street at its intersection with Fremont street," respectfully state, they have examined the locality named, and are unable to discover that the carrying into effect of the provisions of said ordinance would in any manner rebound to the city's interest, they, therefore, submit the following ordinance, and respectfully ask its passage :

S. SANDS MILLS,  
G. MORRIS BOND,  
JNO. W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R OGLE,  
WM. H. VICKERY,

*Second Branch.*

An Ordinance, entitled "an ordinance to repeal Ordinance No. 58, of 1869, entitled an ordinance to straighten Lanvale street by condemning the projecting point which occurs at the intersection of Lanvale street with Fremont street."

Be it enacted and ordained by the Mayor and City Council of Baltimore, That Ordinance No. 58, of 1869, entitled "an ordinance to straighten Lanvale street by condemning the projecting point which occurs at the intersection of Lan-

vale street with Fremont street " be, and the same is hereby, repealed.

On motion of Mr. Sommerlock, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The report of the Joint Standing Committee on Highways, to whom was referred the petition of James M. Rhett and Eliza M. Rhett, asking for an abatement of the assessment of benefits for the opening of Oregon street, respectfully state, That they have examined into the merits of said petition, but can discover no reason why an abatement should be made ; they therefore submit the following resolution, and respectfully ask its adoption.

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WILLIAM H. VICKERY,

*Second Branch.*

Resolved that the Committee be discharged from the further consideration of the subject.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Ernest Neurath, asking permission to erect a four-and-a-half inch wall on Park street, immediately adjoining his dwelling situated on the corner of Fayette and Park streets, as well as permission to extend his front on said Park street four and one-half inches, respectfully state that they have examined the locality named and find that the request made is worthy of the consideration of the Council. On the widening of Park street, the house adjoining Mr. Neurath's being torn down, left his property very much exposed, as well as presenting an unsightly appearance from Park street.

Your committee, after having carefully considered the claim of your petitioner, have prepared the following ordinance, and respectfully ask its passage.

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
WM. H. VICKERY,

*Second Branch.*

An ordinance entitled "An ordinance to permit Ernest Neurath to case up the wall of his property on the corner of Fayette and Park streets, and also to extend his building line four and one-half inches on Park street.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That Ernest Neurath be, and he is hereby, permitted to case up with brick the side wall of his house at the corner of Fayette and Park streets ; provided the said casing does not extend more than four and a

half inches beyond the building line of Park street as heretofore established.

SEC. 2. And be it further enacted and ordained, That the said Ernest Neurath be permitted to extend the building of his front on Park street four and one-half inches, and that the outline of said front shall form a straight line with the side wall of said Neurath's house, all ordinances or parts of ordinances to the contrary notwithstanding.

On motion of Mr. Mills, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Torsch, from the Joint Standing Committee on Markets, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Markets, to whom was referred the petition of Wm. Carmichael and others, owners of butcher's stalls, asking for the reduction of the stall rents in the Maryland Institute Market, respectfully report, That they have considered the matter, and do not see any reason why the said rental should be reduced ; they therefore offer the following resolution, and respectfully ask its adoption.

JOHN W. TORSCH,  
G. MORRIS BOND,  
THOS. P. KERNAN,

*First Branch.*

DANIEL CONSTANTINE,  
JESSE R. OGLE,  
WILLIAM H. VICKERY,

*Second Branch.*

Resolved that the Committee be discharged from the further consideration of the subject.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.



Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have erected a fire-plug on the northeast corner of Caroline and Aliceanna streets.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the law officers of the city be, and they are hereby, instructed to inform this Branch if, in their opinion, the conditions of the last ordinance endorsing the Western Maryland Railroad Bonds, requiring the building of the road between Owings' Mills and Baltimore, has been complied with, and if not, what steps or action will be necessary to require a faithful compliance of the same.

The President introduced the following ordinance, which was read :

An ordinance entitled "An ordinance to change the name of Gist street to Patterson Park avenue."

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the name of Gist street be, and the same is hereby, changed to Patterson Park avenue.

SEC. 2. And be it enacted and ordained, That this act shall take effect from the date of its passage.

SEC. 3. And be it enacted and ordained, That all ordinances, or parts of ordinances, inconsistent with this ordinance, be, and the same are hereby, repealed.

On motion of Mr. Weitzell, the ordinance was read a sec-

ond time, by special order, title approved, and the ordinance declared passed.

The President offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have gas mains laid down on Choptank street, between Pratt and Gough streets.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

The President presented an invitation from Rev. P. Volz and others, for the Council to visit St. Mary's Industrial School for Boys, on Thursday, 2d instant, starting from the Mayor's Office at 11 o'clock A. M.

On motion of Mr. Price, the invitation was accepted.

The Second Branch returned an ordinance fixing the salaries of the clerks of the several markets, endorsed "passed."

The Second Branch returned the resolution, authorizing the Building Committee of the New City Hall to pay certain moneys to E. Mills & Son, endorsed "adopted."

The Second Branch returned the ordinance to fix the pay of the night and day watchman of the City Hall, with the following amendment, which was read :

Strike out the word "fifty," in section 1, and insert in lieu thereof "seventy-five."

Mr. Bond moved to non-concur in the amendment.

Upon which, Mr. Johnson moved as a substitute, that the Branch concur.

The question being on the substitute, the yeas and nays were demanded by Mr. Freeberger, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Smyrk, Mills, Kernan, Ward, Torsch, Sommerlock, Randall, Freeberger, Johnson, and Weaver—13

*Nays*—Messrs. Trippe, Bond, Berry, and Ehlers—4.

The amendment was declared adopted.

On a motion by Mr. Bond to adjourn, the yeas and nays were demanded by Mr. Weaver, resulting as follows :

*Yeas*—Mr. Ehlers—1.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Johnson, and Weaver—17.

The motion was declared lost.

The Second Branch returned the ordinance increasing the pay of the Judges of the Appeal Tax Court, endorsed "passed."

The Second Branch returned an ordinance to increase the pay of Superintendents of Streets, with the following amendment :

Strike out "\$900," in section 1, and insert in lieu thereof "\$1,000."

Mr. Trippe moved to concur in the amendment.

Mr. Bond moved as a substitute to non-concur.

The question being on the motion to non-concur, it was declared lost.

The question recurring on the motion to concur, the amendment was declared adopted.

The Second Branch returned the following ordinances, severally endorsed "passed:"

Ordinance to increase salary of clerk to City Commissioner.

Ordinance raising salary of City Comptroller and clerks.

Ordinance increasing pay of Superintendents of Lamps.

Ordinance to condemn and open Eutaw street, from Mt. Hope Lane to North avenue.

An ordinance to provide for the appointment of a Clerk to the Mayor.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Wednesday, March 1, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Crout presented a petition from St. Vincent's Asylum for an appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Crout presented a petition from John C. Hachtel and others, against the opening of Dolphin street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Ways and Means, to whom was referred the application of the Janitor of the City Hall, for an increase of pay, are of the opinion that the duties of Messenger, which have been superadded to the other duties of that position, demand an increased compensation



at the hands of this body, and they therefore recommend an increase of said salary of \$200.

A. C. TRIPPE,

*First Branch.*

CHAS. G. KERR,

H. McCOY,

WM. H. VICKERY,

*Second Branch.*

An ordinance to determine the salary of the Janitor of the City Hall.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Janitor of the City Hall receive as salary the sum of seventy-five dollars per month.

SEC. 2. Be it enacted and ordained, That all ordinances, or parts of ordinances, conflicting with this ordinance, be and the same are hereby repealed.

SEC. 3. Be it enacted and ordained, That this ordinance take effect from the 4th day of March.

On motion of Mr. Trippe, the ordinance was read a second time, by special order.

The question being on the passage of the ordinance, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—18.

*Nays*—Mr. Bond—1.

The ordinance was declared passed, and the title approved.

The President presented an invitation from Thomas D. Baird, Principal, to visit Baltimore City College, on Friday next, at 3 o'clock, P. M.

On motion of Mr. Smyrk, the invitation was accepted.

A report from the Joint Standing Committee on Highways, with the following ordinance, was received from the Second Branch and read :

An ordinance supplementary to an ordinance entitled "An ordinance to construct a sewer from the intersection of Oliver and Decker streets to Jones' Falls," numbered 33 on the files in the Register's office, and approved June 21, 1869.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That sections one and two of the ordinance to which this is a supplement, be and the same are hereby repealed, and the following enacted in lieu thereof:

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets, with the City Commissioner, be and they are hereby authorized and directed, as provided in ordinance No. 52, entitled "An ordinance to provide for exercising certain powers vested in this corporation in relation to the construction of sewers in the city of Baltimore," approved May 7, 1868, to construct a sewer of the diameter of four and a half feet from the intersection of Oliver street and Decker street, along Oliver street to Morton alley, and along Morton alley to Jones' Falls, and shall have constructed at the terminus of said sewer such catch-basin as shall be advised and approved of by the City Commissioner, and shall have constructed at such places as he may direct, all traps of the most approved plan, and such inlets as may be necessary to carry the water from the surface to said sewer, and all such works as may be necessary to complete in the most approved manner.

SEC. 2. And be it enacted and ordained, That any person

or persons, or body corporate, who may be dissatisfied with the assessment of damages or benefits which shall be made by said Commissioners, may appeal to Baltimore City Court at the time, in the manner, and after like notice by the Register, as provided for in ordinance No. 52, approved May 7, 1868, entitled "An ordinance to provide for exercising certain powers vested in the corporation in relation to the construction of sewers in the city of Baltimore."

On motion, the ordinance was declared laid on the table.

A report from the Joint Standing Committee on Markets, with the following resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to have the Lafayette Market rebuilt, and that he be further directed to have the said market braced in a secure manner with iron rods, and that the sum of \$9,150 be appropriated to rebuild the same, and the further sum of four thousand dollars (\$4,000) be appropriated for bracing the same with iron, or so much of the respective sums as may be necessary.

On motion of Mr. Randall, the report and resolution were declared recommitted to the Joint Standing Committee on Markets.

The following ordinance was received from the Second Branch and read :

An ordinance to regulate the use of sliding boards.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That it shall not be lawful for any person to throw any bale or bulky article from the second or higher story door or window into the street, or to use or cause to be used in or upon any street, lane or alley, wharf or place of public resort, any sliding board, skid or other device or contrivance for the purpose of receiving or delivering merchandise without having the same well se-

cured, so as to prevent the same from slipping ; and every person who shall offend in manner aforesaid, shall forfeit and pay for every such offense the sum of twenty dollars, provided that this ordinance shall not be construed to extend to the removing of any merchandise or other article in case of danger by fire or other casualty.

SEC. 2. And be it enacted and ordained, That section 158, Article 43, title "Streets and City Commissioner," of the Baltimore City Code, be, and the same is hereby, repealed.

SEC. 3. And be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Randall, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

On motion of Mr. Hudgins, the Branch adjourned until tomorrow afternoon, at five o'clock.

By order,

W. H. COLE, *Clerk.*



Thursday, March 2, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Weitzell.

Mr. Torsch presented an application for increase of salaries from the operators and employees of the Police and Fire Alarm Telegraph, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Bond presented a petition from Randolph Barton and others, in reference to the improvement of Jones' Falls, which was read and referred to the Joint Standing Committee on Jones' Falls.

Mr. Cront presented a petition from W. W. Glenn and others, for the building of a culvert across a branch on Monument street, which was read and referred to the Joint Standing Committee on Highways.

The President presented a petition from Robert Turner and others, for the erection of a culvert on Harris' Creek, which was read and referred to the Joint Standing Committee on Highways.

Mr. Torsch, from the Joint Standing Committee on Markets, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Markets, to whom was referred the communication of J. S. Hogg, contractor for building the Lafayette Market, beg leave to report that they have visited the said market in response to his communication, and find that from the action of the elements, over which the contractor had no control, the market now lies a ruin, the committee are of the opinion that the market might have been stayed and anchored so that it would have resisted the storm ; but they are also aware that other mar-

kets have been built on nearly similar plans, and have stood the test of time, and have been considered amply secure, and of course more economical in construction than if anchored and stayed with iron. The committee also think that, had the market been finished, the additional bracing furnished by the stalls might have prevented the accident; but, to place the market beyond the possibility of similar accidents in the future, the committee recommend the bracing of it with iron rods, and ask for the adoption of the following resolution.

JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

DANIEL CONSTANTINE,  
JESSE R. OGLE,  
W. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to have the Lafayette Market rebuilt, and that he be further directed to have the said market braced in a secure manner with iron rods, and that the sum of nine thousand one hundred and fifty dollars (\$9,150) be appropriated to rebuild the same, and the further sum of four thousand dollars (\$4,000) be appropriated for bracing the same with iron, or so much of the respective sums as may be necessary.

On motion, the resolution was declared laid on the table.

Mr. Weaver, from the Joint Standing Committee on Police and Jail, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Police and Jail, to whom was referred the petition of the West Baltimore Target Rifle Association, respectfully report that they have examined the subject matter of said petition, and would recommend that the privileges asked for be granted, and

report herewith the following resolution and respectfully ask its adoption :

J. HARRY WEAVER,  
THOS. P. KERNAN,  
*First Branch.*

JOHN MILROY,  
WM. H. VICKERY,  
A. W. DUKE,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to the West Baltimore Target Rifle Association to erect a target for rifle practice on their grounds, situated on the Washington road, in the southwestern section of the city, provided the said association erect around said target a wall of sufficient height to prevent the possibility of accident, the said target to be removed on sixty days notice from his Honor the Mayor, or by action of the City Council.

On motion of Mr. Ehlers, the resolution was read a second time, by special order.

Mr. Kernan offered the following amendment, which was read and adopted :

Insert after the word "height," the words "and in thickness."

The question being on the resolution, it was declared adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, March 2, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, at 5 o'clock.

By order.

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Johnson, the Branch concurred in the message.

The following communication was presented by the President, ordered to be printed on the Journal, and declared laid on the table :

BALTIMORE, March 2, 1871.

*To the Honorable the First Branch  
of the City Council of Baltimore:*

GENTLEMEN—In response to your resolution of the 28th ult., instructing us to inform you if in our opinion “the conditions of the last ordinance endorsing the Western Maryland Railroad Bonds, requiring the building of the road between Owings’ Mills and Baltimore, have been complied with, and if not, what steps or action will be necessary to require a faithful compliance of the same,” we have the honor to say that we are fully satisfied that all the conditions of the ordinance relating to the subject matter inquired of have been faithfully complied with.

The Commissioners of Finance were directed by said ordinance to require of the Western Maryland Railroad Company evidence, satisfactory to them, of the full compliance with these conditions before delivering to said company any of the endorsed bonds.

This evidence under oath was furnished to the said Commissioners, and is set out with great particularity in their annual report to the City Council for 1870, page 52 and following.

After setting out the evidence as aforesaid, the said Commissioners go on to say (page 60), “Upon consideration of the premises, the Board being satisfied that the required conditions had been complied with, ordered the delivery of bonds to the amount of \$100,000.

Very respectfully,

WM. H. NORRIS,  
*City Counsellor.*  
R. D. MORRISON,  
*City Solicitor.*



On motion of Mr. Johnson, a message was sent to the Second Branch, proposing a recess of twenty minutes, in order to give the Jones' Falls Committee an opportunity to complete their report.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, March 2, 1871.

*Gentlemen of the First Branch:*

We respectfully inform you that we have concurred in your proposition to take a recess for twenty minutes, &c.

By order,

GEO. T. BEALL, Jr., *Clerk.*

On motion of Mr. Berry, the Branch took a recess for 20 minutes.

The Branch being called to order—

Mr. Johnson, from the Joint Special Committee on Jones' Falls, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Jones' Falls, to whom was referred memorials from two of the late Commissioners for the Improvement of Jones' Falls, from the Engineer, and from divers others, against the present plan and proposing other plans, respectfully submit, &c.

The petitions against the present plan, known as the Tyson plan, were numerous; but on an examination it would appear that the objections were not sustained, and were presented under an evident misapprehension of the plan.

The Committee deem it proper to give a statement of the reasons why the Committee have determined to advise that no changes be made at present by ordinance in the plan heretofore adopted for the improvement of Jones' Falls.

The plan was not adopted until some time in December, 1869, nearly eighteen months after the flood of 1868, and during this interval the whole subject master of the Jones' Falls improvement was fully examined and discussed by the Press and in the City Council, after the opinions of six different engineers had been elaborately given upon the question in all its bearings; and the City Council, when it determined to adopt the Tyson plan, had, before it, substantially at least, all of the multitude of plans and ideas embodied in the different communications, which, at the present session of the Council have been presented and referred to the committee.

The subject then having been thoroughly ventilated and discussed prior to the adoption of the Tyson plan, and this plan having received at the time nearly the unanimous approval of all the members of the City Council which adopted it, and the ordinance adopting the plan having been passed without a dissenting voice, we think we should not be justified in recommending a substitution of some other plan for the one thus deliberately adopted, nor any changes in the plan itself, unless it is made clear to us, first, that the plan itself is objectionable and defective; and second, that a better plan has been suggested.

We say both of these should concur, because, that Jones' Falls is a *difficult problem* to deal with, all we believe admit; and therefore, even though there might be features about the adopted plan which we would like to have otherwise, yet, if no other plan has been recommended, which, in the judgment of the committee, is as good or effective as the Tyson plan, we could not advise the Council to abandon it, either because its execution will cost a great deal of money, or because in the judgement of others it is not the best plan. It is useless to expect upon such a subject as this any uniformity of opinion; no matter what plan should be adopted, there will always be a large number of persons who will contend that just the wrong plan had been adopted.

1st. As to the Tyson plan. The general features of this plan are of course familiar to the Council: they may be stated thus—1st. The widening of the channel of the stream

from the Basin up to Baltimore street to a width of 150 ft., and from Baltimore street up to about Madison street to a width of 125 ft., the side walls to be not less 13 ft. and 6 inches in height, from Baltimore street up to Eager street. And the stream to be spanned at the streets by iron bridges of single span, leaving a clear water-way of 13 ft. 6 inches in height.

2d. The laying out of 50-foot avenues on each side of the stream, from the Basin to Eager street.

3d. The construction of parallel sewerage on each side of the stream, from Monument street to the Basin, so that no sewerage shall empty into the Falls.

4th. The excavation of the channel, so as to allow six feet at low tide as far up as the vicinity of Madison street.

5th. The execution of this plan involves but a slight elevation of the grades of any of the streets of the city adjacent to the Falls.

Without dwelling now upon the merits of this plan, we desire to call attention in a general way to what, by some of the petitions which have been referred to us, we are asked to substitute in the place of the Tyson plan.

1st. A petition numerously signed and purporting to represent the views of the owners of a large amount of wealth in the city, requests that the Council will altogether abandon the Tyson plan, and limit the operations in connection with the improvement of Jones' Falls to a straightening of the stream *above Gay street bridge*, and the straightening, raising and widening the walls of the stream from Eager street to the Basin, and the filling up the region adjacent to the Falls. In other words, it is thus proposed to do nothing towards widening the stream below Gay street bridge.

2d. Mr. Ross Winans has published his views upon the subject, and in *his opinion* the course and width of the stream, whether *below* or *above* Gay street bridge, should not be in any way altered or changed from what it is at present; and his remedy for all the evils complained of, and his solution

of the problem of Jones' Falls, is to fill up what is called the Flooded District to a height a foot or two above the highest point where the water of the flood of 1868 reached; and all this improvement, he assumes, can be made without costing the city a cent, the whole cost to be put on the property situated in the district thus to be filled in.

There have been a number of other plans presented to the Council and referred to the committee, but for the purpose we have in hand, it is not necessary to mention more than the two above stated, which may be regarded as the principal ones.

These plans are of course altogether different from the Tyson plan, and altogether different the one from the other.

If we then recommended the adoption of the Winans' plan, we should necessarily have to reject the plan of the wealthy tax-payers above spoken of; and if we adopt the plan of the said tax-payers, we must reject Mr. Winans' plan.

Now suppose we took either course, would not the upholders of the plan which we did *not* adopt, consider that the wrong plan had been adopted, and should we not be again flooded with petitions asking us to undo what we had done, just as now the advocates of the two plans above named are now jointly asking that we should abandon the Tyson plan? They may agree in asking us to reject the Tyson plan, but when we come to substitute a plan in its place, their agreement ceases, and each would of necessity endeavor to show that the other's plan was not fit to be adopted. But a little consideration will show that this is not the only difficulty in reference to the plans of which we are now speaking.

When the Tyson plan was adopted, the question was mainly between this plan and the several alternative plans suggested by the Commission of Engineers, consisting of Messrs. Latrobe, Trimble and Tegmeyer, the plan or plans of the latter gentlemen having been presented in a lengthy pamphlet, wherein the whole subject was fully discussed.



Now, although the Council preferred the Tyson plan to that presented for the improvement of the Falls, by these gentlemen, yet it will be found that the plan of Mr. Winans as well as the plan of the tax-payers above mentioned, are no more countenanced by the plan and views, as presented by Messrs. Latrobe, Trimble and Tegmeyer, than they are by the views of Mr. Tyson.

According to Mr. Winans' views, the course and width of the stream are to be allowed to remain just as they are; it is not in *any part* to be widened or straightened at all; and no parallel or other sewers in connection therewith are to be constructed, but are expressly rejected as *worse than useless*.

According to the plan of the above named tax-payers, nothing is said upon the subject of sewers at all; this not apparently having been the subject of consideration with them, though according to the judgment of all the engineers who have examined the subject, the sewers are a most important part of *any* plan which may be adopted. But the plan of the tax-payers rejects any widening of the stream below Gay street bridge.

Now, according to the opinions in the plans of Messrs. Trimble, Latrobe and Tegmeyer, both the plan of Mr. Winans and of the tax-payers are **RADICALLY** defective and incapable of dealing with and solving the problem.

For, according to Messrs. Latrobe, Tegmeyer and Trimble, *sewers are* necessary, and the stream should not only be widened and straightened above Gay street, but widened below Gay street and all the way to the Basin; and according to them, a greater width between Gay street and Baltimore street should be given than is given in Mr. Tyson's plan.

Nor is this all. In the matter of the necessity of the sewers, and of straightening the stream and widening it, as well below as above Gay street bridge, the distinguished engineers Messrs. Chessebrough and Hughes, to whom the whole subject was submitted, in their elaborate and able report, fully concur that sewers are absolutely necessary, and

that it was also necessary to straighten the stream and widen it all the way to the Basin.

We think, therefore, it must be apparent that inasmuch as the plans which have been thus urged on the Council as substitutes for the Tyson plan, besides being altogether different the one from the other, have both, in their essential features, been rejected by all the engineers who were employed to examine the subject for the Council, as well by those who endorsed the Tyson plan, as by those who differed from it, it cannot be expected we should recommend the adoption of plans thus rejected unless their excellence was so patent as to compel our acceptance of them. So far from this being the case, we are satisfied that no proper improvement of the Falls could be made on either of the plans we have been speaking of.

It is no part of our purpose in this report to state in detail the reasons which lead us to the opinion which we thus express as to the merits of the plans above referred to. But we think it but proper to disabuse the minds of those who may have fallen with Mr. Winans into the error of supposing that his plan could be carried out without expense to the city.

He proposes "to throw on each property owner, or upon his property, the whole burden, and yield to him the whole advantage of the improvement. Each lot may be made to bear the whole cost of raising it to the required height. The buildings now on the ground may either be raised up one story to make up for the story lost by filling up, or the buildings may be raised up bodily and underpinned, or taken down and rebuilt."

The city has now, under Act of 1870, ch. 115, power to condemn property which may be necessary to carry out any plan it may adopt, but it cannot take property for this purpose without making just compensation, and it can no more take away a part of a house by filling up one of the stories, or necessitating its being raised "bodily up," or "torn down and rebuilt," without paying for the damage thus incurred, than it could take the whole house without paying for it; and what amount would have to be paid, must in the

last resort be determined by a jury. And independently of the want of authority, upon what principle of justice could it be asked that the whole cost of filling up this district, on an average say of one story a house, and the consequent necessity of a re-building in one shape or another all the houses therein, which would involve the depopulation of that district for the time being, be thrown on the property so to be filled up, and rebuilt on an *assumption, arbitrarily* made, that when all these things had been done, the property so dealt with would be increased in value to the extent of the costs.

What this cost would be, no one has ventured to say, though a great deal has been said as to the great cost of the execution of the Tyson plan. When all the damages which would have to be paid to the property holders who are thus to be forced out of their property, including *house rent for the population thus by wholesale to be removed* while the work is going on, and the cost of another story to all the houses in the district, and the underpinning process, are considered, it would be safe to say that no one could safely even guess what the whole would amount to. In so far as the suggestion as to the filling up of this district is concerned, this did not originate with Mr. Winans. It was suggested in the report of Messrs. Latrobe, Tegmeyer and Trimble as advisable, in connection with the widening and the straightening of the stream.

We find ourselves, therefore, after all the discussion in the Press, after the presentation of all kinds of suggestions, plans and views upon the subject of Jones' Falls, that while many objections have been started to Mr. Tyson's plan, by persons who claim to have better plans, when we come to examine these plans we find them all differing from each other, and so far as those which have been most talked of and petitioned for, being those we have above spoken of, wanting in the essentials declared to be necessary by all the engineers whose opinions we have asked.

In this state of the case, we think it the part of wisdom to adhere to the Tyson plan already adopted after great deliberation, under the provision of the ordinance herewith submitted, giving to the Commissioners and Engineer power to revise the whole plan and to suggest modifications or im-



provements. The present plan in its main features received the endorsement and sanction of Messrs. Chessebrough and Hughes, who were called in by the city to re-examine the whole subject; and we are satisfied that the welfare of the city of Baltimore will be largely promoted by the immediate improvement of Jones' Falls.

Taking the bid of Messrs. Kinsly & Keeney, who we understand to be very responsible parties, and who offer to give ample security, as a test of the cost of execution of the work, we have only to add thereto the cost of remodeling the buildings and the whole cost is arrived at.

That with Jones' Falls improved on the Tyson plan, including the 50-foot avenues on each side, with the wharf room over two miles in length thus afforded, and with at least 6 feet at low tide of clear water in the stream, freed from the contents of the sewers and the nuisances that now it receives, the whole aspect and condition of this part of Baltimore will be entirely changed and bettered.

No one can doubt the additional revenue derived by taxation on the enhanced value of the property there situated, will go far towards paying the interest on the whole cost.

We are satisfied that a new Board of Commissioners of capable and energetic men, of high character, should be at once appointed, to whom shall be entrusted the execution of the improvement, and who shall be charged with the duties imposed by the accompanying ordinance, the execution to be under the direction of a first-class Engineer of recognized position and skill.

When such a Board of Commissioners shall have been appointed, and such an Engineer shall have been selected, and they shall have taken the whole matter under their charge, any change or modification of the plan which would be suggested by the Board acting under the guidance of this Engineer, would receive from the Council earnest consideration, and as such suggestions would come from the men who are charged with carrying out the plan and work with energy and in good faith, their suggestions and recom-



mendations would come with great weight. If, when the present plan is subjected to this mode of treatment, it is found to need a change or modification or alteration, the Council under the existing ordinances has the amplest power to make any change thus shown to be desirable; until then, we are satisfied no change should be made in the existing ordinance so far as the plan is concerned. We recommend the adoption of the accompanying ordinance.

JOS. G. JOHNSON,  
ANDREW C. TRIPPE,  
OWEN WARD,  
GEO. R. BERRY,

*First Branch.*

A. W. DUKE,  
H. McCOY,  
JESSE R. OGLE,  
CHAS. G. KERR,  
J. I. GROSS,

*Second Branch.*

I sign the report of the committee because I concur in the ordinance presented by them, but I desire to be understood as expressing no opinion upon the merits or demerits of the present or any other plan, until the Commission on Jones' Falls shall have reported to this Council as required by the ordinance.

G. MORRIS BOND.

On motion, the report and ordinance were declared laid on the table.

Mr. Trippe, from the Joint Standing Committee on Education, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Education, to whom was referred the application of numercus citizens of East Baltimore for the erection of a new school building for use of Male and Female Grammar School No. 17, respectfully report that in their opinion, the extension of No. 2 Grammar School, as determined by the action of the last Council, is inadvisable on account of the nearness of the Eastern Police Station and

the rapidly increasing growth of the eastern section of the city; they therefore ask the repeal of the resolution of last session authorizing the extension of Male Grammar School No. 2, and ask the adoption of the following resolution, transferring the appropriation from No. 2 to the new school to be erected on a lot to be hereinafter selected for the use of Male and Female Grammar School No. 17.

BENJAMIN PRICE,

A. C. TRIPPE,

*First Branch.*

CHAS. G. KERR,

H. McCOY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That resolution No. 205, approved June 29, 1870 be, and the same is hereby, repealed and the following enacted in lieu thereof:

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and empowered to lease a lot of ground in that section of the city bounded by Ann, Pratt, Gist and Fayette streets, at a sum not exceeding three and one half dollars per front foot of the short front, and said front not to exceed one hundred feet, and that the said City Commissioner have erected on said lot a suitable building for the use of Male and Female Grammar School No. 17, and that the sum of seventeen thousand dollars, or so much thereof as may be necessary be, and the same is hereby, appropriated therefore.

On motion, the report and resolution were declared laid on the table.

Mr. Johnson offered the following resolution, which was read and adopted:

Whereas the condition of the building now occupied by school No. 32 in the western section of the city, at the N. W. corner of Gilmore and Baltimore streets, is unsuitable for the purpose for which it is used; therefore, be it

Resolved by the First Branch of the City Council, That the Joint Standing Committee on Education be, and they are hereby, directed to report an ordinance providing for an appropriation sufficient to erect a new school-house in the immediate or adjoining neighborhood, if in their opinion it is deemed necessary.

On motion of Mr. Ehlers, the Branch adjourned until Monday afternoon next, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, March 6, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Kernan.

Mr. Trippe presented a petition from Messrs. Smith & Whiting and others, merchants doing business on Cheap-side, asking the privilege of certain parts of the pavement, which was read and referred to the Joint Standing Committee on Highways.

Mr. Ehlers presented a petition from Thomas Voyce, for privilege to erect a brick-kiln on Winans' ground, west side of Light street, beyond Winder street, which was read and referred to the Joint Standing Committee on Health.

Mr. Ehlers presented a petition from Christian Muhly, for permission to sink a well in front of No. 391 S Charles street, which was read and referred to the Joint Standing Committee on Water.

The President presented an invitation from J. C. Trippe, Chairman of Committee on Invitation, to visit the House of

Refuge, on Thursday next, leaving the Mayor's office at 11 o'clock A. M., which was read and accepted.

Mr. Sommerlock presented a petition from Wm. Schloss, for permission to build a frame summer kitchen at No. 251 Saratoga street, which was read and referred to the Joint Standing Committee on the Fire Department.

Mr. Trippe presented a petition from the Association for the Improvement of the Condition of the Poor of the City of Baltimore, for an appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Mills introduced an ordinance entitled "An ordinance to fix and establish the salaries of the Clerks in the City Collector's office."

On a motion by Mr. Bruce for a second reading of the ordinance, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. Bruce, Mills, Sommerlock, and Johnson—4.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Ward, Bond, Price, Berry, Freeberger, Ehlers, and Crout—12.

The Branch refused to suspend the rules.

On motion of Mr. Trippe, the ordinance was referred to the Joint Standing Committee on Ways and Means.

Mr. Price offered the following resolution, which was read and adopted :

Resolved, That the Joint Standing Committee on Harbor be instructed to consider the propriety of adopting means for the improvement, by way of deepening, the harbor, in order to secure the safe passage of vessels of large tonnage, with a view to facilitate and encourage commerce ; and that they be further authorized to send for persons, and take



testimony therein, for the purpose of guiding them in their conclusions ; and to report the result of their investigations, by ordinance or otherwise, as they may deem proper, as early as may be practicable.

Mr. Sommerlock offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have the old pump stock removed from west side of Mulberry street, opposite No. 179, near Pine street, the expenses of the same to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Johnson, business was temporarily suspended for the purpose of giving an opportunity to a Committee of United Irishmen to present a series of resolutions to the Branch.

Mr. Johnson introduced Capt. John J. Fenton, chairman, and committee, and Capt. Fenton presented to the Branch a copy of the resolutions, which were received by George W. Bishop, Esq., President.

The committee then retired.

Business being resumed—

Mr. Bond offered the following resolution, which was read :

Resolved by the First Branch of the City Council of Baltimore, That the City Commissioner be, and he is hereby, requested to have suspended all work upon the Lexington and Belair Markets, until such time as the Committee on Markets can give a personal inspection to the same.

Mr. Price offered the following substitute, which was read and adopted :

Resolved by the First Branch City Council, That the Committee on Markets be instructed to visit the Lexington and Belair Markets, and report as soon as possible the result of their visit, with such recommendations as they deem advisable.

Col. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a message from his Honor the Mayor.

Mr. Johnson introduced an ordinance entitled "An ordinance for the re-division of the Wards of the City of Baltimore," which was read and ordered to be printed.

Mr. Randall called up the ordinance known as No. 6 on the file, entitled "An ordinance to repeal and re-enact section 91, Article 43, of the Baltimore City Code, entitled 'Streets and City Commissioner,' " which was read.

Mr. Price offered the following amendment, which was read and adopted :

Provided, however, that in cases of contracts for the construction and repair of all city buildings, executed by the Fire Commissioners, it shall be the duty of the City Commissioner to examine the same, and certify his approval thereon.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas* — Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Weaver and Crout—18.

*Nays*—Mr. Johnson —1.

The title was approved, and the ordinance declared passed.

On motion of Mr. Price, the ordinance in reference to the improvement of Jones' Falls was made the special order of the day for to-morrow evening, at 5½ o'clock.

The President presented the following message from his Honor the Mayor, which was read, and on motion of Mr. Trippe, referred to the Joint Standing Committee on City Property:

MAYOR'S OFFICE, CITY HALL,  
Baltimore, March 6, 1871.

*To the Honorable the Members of the First  
and Second Branches of the City Council :*

GENTLEMEN :—In my first Annual Message to the Council, in January, 1868, I had the honor to recommend that the business of city public building and repairs—except that appertaining to the Water and the Port Warden's departments—should be placed under the official management and direction of the City Commissioner.

My purpose in *this* was, by placing the execution of that important and expensive (if illy conducted) branch of the public work under the supervision of an experienced and competent head, to secure, at once, the ends of permanence of structure, good taste and economy.

I am pleased to say that, the Council of that year concurring with me, an ordinance was adopted in the month of February, in literal conformity with that recommendation. Subsequently, in 1868, '69, and '70, other and kindred duties—such as issuing permits for the erection of steam boilers, frame-sheds, bay-windows, telegraph poles, &c.—were devolved upon this office, making his functions, together with the matter of grading, &c., of streets, so vast and varied as to render it, in my opinion, next to impossible that he can continue to successfully discharge them.

The rapid growth of the city has added so largely to the original duties of the City Commissioner, to wit: the "grading, paving, making, mending or repairing of streets, lanes, alleys, bridges and sewers, and contracting for material for the same," as to constitute them alone business sufficient for this important bureau, or department.

In view, then, of the foregoing facts, I have earnestly to recommend that the department of City Commissioner be reduced to its original functions, that is to say, so as to embrace in its jurisdiction only the subjects of highways, bridges, &c, and that the office of Superintendent of Public Construction be created by ordinance, in which, in addition to all matters pertaining to building (except bridges) steam boilers, signs, and telegraph poles, shall be vested the authority to inspect private buildings while in process of construction, and to condemn them, when any of their parts are not being built according to law.

This latter function is a great public necessity, demanded by the material interests of the citizens generally, and by a higher consideration, the safety of our brave, and sometimes too reckless firemen, in their efforts to preserve property from the destroying flames.

Very respectfully,

ROBERT T. BANKS,

*Mayor.*

Mr. Trippe introduced an ordinance entitled "An ordinance to exempt from taxation by the Mayor and City Council of Baltimore, the bonds of the Western Maryland Railroad Company, which have been or may be hereafter endorsed by the Mayor and City Council of Baltimore, under the provisions of an ordinance entitled 'An ordinance to authorize the endorsement or guarantee by the Mayor and City Council of Baltimore of the mortgage bonds of the Western Maryland Railroad Company, and to provide a sinking fund in connection therewith,' approved January 21, 1870," which was read and referred to the Joint Standing Committee on Ways and Means.



On motion of Mr. Ehlers, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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The following resolutions were presented to the Mayor on February 9 :

Resolution appropriating \$1500 to complete the equipment of Cross Street Hall.

Resolution to lay gas mains on North Ann street, between Jefferson and Orleans streets.

Resolution to lay iron plates over the gutters on Light street, opposite Williamson street.

Resolution in favor of Michael Dwyer.

Resolution in favor of Mrs. Virginia Sevier.

Resolution in favor of John Scherer.

Resolution for the removal of pump stock on Greenmount avenue, between Madison and Monument streets.

Resolution for the removal of pump stock at the corner of Fell and Thames street.

Resolution to appoint an additional lamplighter in the Western District.

Resolution to place iron plates over the water-way at the intersection of Calvert and Centre streets, and Calvert and Monument streets.

The following resolution on February 27 :

Resolution of welcome to the Irish Exiles.

The following ordinance on February 27 :

An ordinance to provide for the appointment of a Clerk to the Mayor and prescribing his duties, and to prescribe the duties of the Janitor of the City Hall.

The following ordinances were presented on February 28 :

An ordinance to increase the pay of the Superintendents of Streets.

An ordinance supplementary to an ordinance fixing the salaries of the Clerks of the several Markets, Baltimore City Code, Article 32, section 68.

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An ordinance fixing the salaries of the Clerks to the City Commissioner.

An ordinance to fix the pay of the night and day watchmen of the City Hall.

An ordinance to determine the salaries of the Superintendents of Lamps.

An ordinance to fix the salary of the Judges of the Appeal Tax Court.

An ordinance to fix and establish the salaries of the City Comptroller's department.

The following resolutions on March 1 :

Resolution to have old pump stock removed from corner of Sharp and Barre streets.

Resolution to place a gas lamp on the northwest corner of Charles street and North avenue.

Resolution to lay gas mains on Sharp street and on Cowpen alley.

Resolution authorizing the Health Commissioner to clean the crossings and gutters on the principal thoroughfares of the city.

Resolution for the removal of two old pump stocks—Lombard and Poppleton streets, and opposite 155 and 157 N. Gay street.

Resolution authorizing A. Rice to extend his livery and hiring stable on Aliceanna street.

Resolution authorizing the Building Committee of the new City Hall to pay E. Mills & Son certain money.

#### APPROPRIATIONS.

Amount heretofore appropriated.....	\$19,800 00
Resolution in favor of Jas. Birkhead, for taxes	
paid in error.....	50 40
“ in favor of Virginia Sevier, for taxes	
paid in error.....	248 89
“ in favor of Michael Dwyer, watchman	49 98
“ in favor of John Scherer, for taxes	
paid in error.....	45 29
“ to equip the completement of Cross	
Street Hall.....	1,500 00
	<hr/>
	\$21,694 56

Tuesday, March 7, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Kernan and Weaver.

Mr. Hudgins presented a petition from Thomas Bruscup and others, in reference to a new market space on Broadway, which was read and referred to the Joint Standing Committee on Markets.

Mr. Price presented a petition from John M. Buch and others, in reference to the throwing of garbage on the suburbs of the city, which was read and referred to the Joint Standing Committee on Health.

Mr. Crout presented a petition from Francis Kirk and others, in reference to the opening and condemning of Cook street, from Pennsylvania avenue to Madison avenue, which was read and referred to the Joint Standing Committee on Highways.

Mr. Mills presented a petition from John H. Wise and others, for an iron railing on Broadway, between Chew and Eager streets, which was read and referred to the Joint Standing Committee on Parks.

Mr. Berry presented a petition from the Home of the Friendless, for an appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Smyrk presented a petition from Jacob Blankford and others, in regard to the tunneling of Harford run, which was read and referred to the Joint Standing Committee on Highways.

Mr. Mills presented a petition from W. Remington, for

repeal of ordinance to continue the tunnel from Decker and Oliver streets to the Falls, which was read and referred to the Joint Standing Committee on Highways.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the Jones' Falls ordinance, the President accordingly announced the special order of the day.

Mr. Mills offered the following amendment, which was read :

In section 1, line 3, after the word "joint," insert "and open."

The amendment was declared lost.

Mr. Randall offered the following amendment, which was read :

In section 1, line 3, strike out the word "five," and insert the word "three."

The question being on the amendment, the yeas and nays were demanded by Mr. Randall, resulting as follows :

*Yeas*—Messrs. Mills, Bond, Sommerlock, Randall, Freeberger, and Ehlers—6.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Berry, Johnson, and Crout—12.

The amendment was declared lost.

Mr. Crout offered the following amendment, which was read :

In section 2, lines 3 and 4, strike out the words "each receive an annual salary of \_\_\_\_\_ dollars," and insert the words "serve without pay."



The question being on the amendment, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas* — Messrs. President, Mills, Bond, Sommerlock, Ehlers, and Crout—6.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Randall, Berry, Freeberger, and Johnson—12.

The amendment was declared lost.

In section 2, line 4, of the ordinance, the following sums were named with which to fill the blank :

Mr. Smyrk named \$3,000.

Mr. Randall named \$2,500.

Mr. Berry named \$2,400.

Mr. Sommerlock named \$2,000.

Mr. Bond named \$1,500.

The question being on the sum of \$3,000, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. Smyrk and Johnson—2.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, and Crout—16.

The amendment was declared lost.

The question being on the sum of \$2,500, the yeas and nays were demanded by Mr. Smyrk, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Smyrk, Ward, Torsch, Price, Randall, Berry, and Johnson—11.

*Nays*—Messrs. Trippe, Mills, Bond, Sommerlock, Freeberger, Ehlers, and Crout—7.

The amendment was declared adopted, and the blank filled with \$2,500.

In section 3, line 11, of the ordinance, the following sums were named with which to fill the blank :

Mr. Mills named \$20,000.

Mr. Bond named \$8,000.

Mr. Smyrk named \$6,000.

Mr. Trippe named \$5,000.

Mr. Ehlers named \$4,000.

Mr. Price named \$3,500.

Mr. Randall named \$3,000.

The question being on the amendment of Mr. Mills, the yeas and nays were demanded by Mr. Smyrk, resulting as follows :

*Yeas*—Mr. Mills—1.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, and Crout—17.

The question being on the amendment of Mr. Bond, the yeas and nays were demanded by Mr. Bond, resulting as following :

*Yeas*—Messrs. Smyrk, Mills, and Bond—3.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Ward, Torsch, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, and Crout—15.

The amendment was declared lost.

The question being on the amendment of Mr. Smyrk, it was declared lost.

The question being on the amendment of Mr. Trippe, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Ward, Torsch, Price, Berry, Freeberger, Johnson, and Crout—12.

*Nays*—Messrs. Smyrk, Mills, Bond, Sommerlock, Randall, and Ehlers—6.

The amendment was declared adopted, and the blank filled with “\$5,000.”

The question recurring on the passage of the ordinance, the title was approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Jacob Ellinger and others, asking that McElderry street, from Broadway to Register street, be opened, respectfully state, that after having visited the locality and examined the same, deem it advisable that the prayer of the petitioners should be granted. They therefore submit the following ordinance, and respectfully ask its passage.

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WILLIAM H. VICKERY,

*Second Branch.*

An ordinance to condemn and open McElderry street from Broadway to Register street.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, authorized and directed

to condemn and open all that part of McElderry street, from Broadway to Register street, as laid down on Poppleton's plat of the city of Baltimore.

SEC. 2. And be it enacted and ordained, That any person or persons, or body corporate, who may be dissatisfied with the assessment of damages or benefits, which shall be made by said Commissioners, may appeal to the Baltimore City Court at the time, in the manner, and after like notice by the Register, as provided for by Article 43 of the Baltimore City Code ; and the Collector and Register of the City shall also perform such duties in relation to streets, as are required of them by the provisions of said Article.

On motion of Mr. Ehlers the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Crout called up the resolution authorizing the purchase of a lot of ground for the purpose of erecting a school for the use of Male and Female Grammar School No. 17, and appropriating \$17,000 therefor, which was read and adopted.

On motion of Mr. Johnson, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Wednesday, March 8, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell, Bruce and Mills.

Mr. Smyrk presented a petition from H. E. Coffin and others, to change the name of Ann street to Patapsco avenue, which was read and referred to the Joint Standing Committee on Highways.

Mr. Ehlers presented a petition from John R. Carroll and others, to prevent the occasional overflow of a pond on Webster street, near City Yard, which was read and referred to the Joint Standing Committee on the Harbor.

Mr. Trippe presented a petition from the Maryland Institute, asking aid for its Educational Department, which was read and referred to the Joint Standing Committee on Ways and Means.

The President presented a petition from Wm. S. Rayner and others, to have a culvert erected on Harris' Creek, which was read and referred to the Joint Standing Committee on Highways.

The President presented a petition from W. W. Glenn, for a culvert on Harris' Creek, which was read and referred to the Joint Standing Committee on Highways.

The President presented a petition from B. Conner and Francis Conner, for work done on Canton Market, which was read and referred to the Joint Standing Committee on Claims.

The President presented an invitation from C. W. Bentley, Esq., and others, to visit the examination of the Maryland Institute School of Design, on Monday evening, 13th inst.

On motion of Mr. Smyrk, the invitation was accepted.

Mr. Bond presented a petition from John Wolf, Market-Master of the Richmond Market, for increase of salary, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the application of the lamplighters for an increase of pay, respectfully report, that the duties of these employees requiring their services at any hour of the night, and involving, to some extent, the expense of material used by them, are, in the opinion of your committee most inadequately compensated, and they ask for the adoption of the accompanying ordinance.

A. C. TRIPPE,  
H. CROUT,  
BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,

*Second Branch.*

An ordinance to increase the pay of the Lamplighters.

SECTION 1. Be it enacted by the Mayor and City Council of Baltimore, That the compensation of the lamplighters shall be eight dollars each per week.

SEC. 2. Be it enacted, That all ordinances, and parts of ordinances inconsistent with this ordinance be, and the same are hereby, repealed.

SEC. 3. Be it enacted, That this ordinance take effect from the eleventh day of March, 1871.

On a motion for the second reading of the ordinance, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Trippe, Smyrk, Torsch, Price, Freeberger, Johnson, Weaver, Crout—10.

*Nays*—Messrs. Bond, Sommerlock, Randall, Berry, Ehlers—5.

The Branch suspended the rules.

Mr. Crout offered the following amendment, which was read :

Strike out the word "eight," and insert the word "nine."

The question being on the amendment, Mr. Johnson demanded the yeas and nays, with the following result :

*Yeas*—Messrs. President, Smyrk, Torsch, Bond, Johnson, Weaver, Crout—7.

*Nays*—Messrs. Hudgins, Trippe, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers—8.

The amendment was declared lost.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Trippe, Smyrk, Kernan, Torsch, Price, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—14.

*Nays*—Messrs. Bond and Sommerlock.—2.

The title was approved, and the ordinance declared passed.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The report of the Joint Standing Committee on Claims, to whom was referred the petition of Jacob Hook, asking remuneration and exemption from taxes on account of an overflow of water on his property, caused by the opening and grading of Lanvale street, have examined the subject, and believe that no proper action can be had on the subject without an inspection of the premises ; that such examination would more properly belong to the Committee on Highways. They therefore recommend the adoption of the following resolution.

BENJAMIN PRICE,  
JACOB H. FREEBERGER,  
H. CROUT,

*First Branch.*

J. I. GROSS,  
CHAS. G. KERR,

*Second Branch.*

Resolved, That the aforesaid petition of Jacob Hook be referred to the Joint Standing Committee on Highways, and that the Joint Standing Committee on Claims be discharged from further consideration of the subject.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of John B. Emory, asking a return of taxes paid in error to the city, have examined the subject with care, and have also referred to the Comptroller in order to ascertain the justice of said claim, and have con-



cluded from the facts discovered that the City of Baltimore sold to said Emory what they represented to be a fee simple property, and received from said Emory the sum of forty dollars and forty-nine cents, but afterwards discovered that they could give no title to said Emory, and declined to execute the deed. We think, under the circumstance, that the amount should be returned to said Emory, and recommend the adoption of the following resolution.

BENJ. PRICE,

H. CROUT,

J. H. FREEBURGER,

*First Branch.*

CHAS. G. KERR,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized to return and pay over to John B. Emory the sum of \$49.49, out of any money he may have in his hands not otherwise appropriated, provided the said Emory shall give a proper receipt therefor.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

Mr. Smyrk introduced the following ordinance, which was read :

An ordinance relating to the Health of the City of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That Article 23 of the Baltimore City Code, 1869, be amended by adding thereto the following section, to be, and to constitute section 144 of said Article.

SECTION 144. Every owner or driver of a night cart, or other vehicle used in cleaning sinks, when such cart or vehicle is not employed in cleaning the same, as prescribed in section 37, Article 23, Baltimore City Code, 1869, shall de-

posit the cart or other vehicle of which he is owner, or driver, in such inclosure, or place, as may be designated by the Commissioner of Health; nor shall said owner, or driver, remove said cart or vehicle therefrom for any purpose whatsoever, except as provided in section 37, Article 23, Baltimore City Code, 1869, without a written permit from said Commissioner of Health, under a penalty of twenty dollars for each and every offence; said penalty to be recovered from the owner or driver of said cart or other vehicle, as other fines and forfeitures are now recoverable, one half to the informer, the remainder to the Register for the use of the City; and the Comptroller, upon complaint of the Commissioner of Health, shall revoke the license of owners or drivers who shall violate the provisions of this ordinance.

On motion of Mr. Smyrk, the ordinance was read a second time, by special order.

Mr. Price offered the following amendment, which was read:

Strike out the word "twenty," and insert in lieu thereof, the word "ten."

The question being on the amendment, it was declared adopted.

Mr. Bond offered the following amendment, which was read:

SEC. 2. And be it enacted and ordained, That this ordinance shall take effect from and after the date of its passage.

The question being on the amendment, it was declared adopted.

The question recurring on the passage of the ordinance, the title was approved, and the ordinance declared passed.

Mr. Randall offered the following resolution, which was read and adopted:

Resolved by the First Branch of the City Council of Baltimore, That the City Register be, and he is hereby, directed to pay to Master Joseph E. Hogan the sum of two dollars per day for each day of session of this Branch, in payment for services as Page of this Branch ; the amount to be taken out of the diary of expenses for the Council for the year 1871.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have attached to the city fountains, in the most convenient places, troughs or boxes of iron, and to erect fountains with similar boxes or troughs in other places, so that the same can be used for the purpose of watering horses; and the sum of three thousand dollars, or so much thereof as may be necessary, be, and is hereby, appropriated out of the levy of 1871, to make the provisions of this resolution effective.

On motion, the resolution was declared laid on the table.

Mr. Crout called up the resolution in reference to the rebuilding of the Lafayette Market, which was read.

On a motion by Mr. Trippe to lay the resolution on the table, the yeas and nays were demanded by Mr. Crout, resulting as follows :

*Yeas*—Messrs. Trippe, Smyrk, Price, Sommerlock, Randall, and Berry—6.

*Nays*—Messrs. President, Hudgins, Kernan, Ward, Torsch, Bond, Freeberger, Ehlers, Johnson, Weaver, and Crout—11.

The Branch refused to lay upon the table.

On a motion by Mr. Trippe to make the resolution the special order of the day for to-morrow (Thursday) afternoon

at 5½ o'clock, the yeas and nays were demanded by Mr. Crout, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Trippe, Smyrk, Ward, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—14.

*Nays*—Messrs. Kernan, Torsch, and Bond—3.

The resolution was declared laid over, and made the special order for to-morrow afternoon, at 5½ o'clock.

The President presented an invitation from G. H. Clemens to an excursion on the steamer Samuel J. Pentz, on Friday next, at 1 P. M.

On motion of Mr. Torsch, the invitation was accepted.

Mr. Johnson introduced an ordinance entitled "An ordinance relating to the keeping of dogs, and to restrain them from running at large within the limits of the city, which was read and referred to the Joint Standing Committee on Police and Jail.

Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Health, to whom was referred the petition of Thomas Voyce for permission to erect a brick-kiln on Winans' ground, on the west side of Light street, beyond Winder street, respectfully report, that they have given the matter due consideration, and believe that the privilege asked should be granted. They therefore recommend the adoption of the accompanying resolution.

G. MORRIS BOND,  
JOSEPH G. JOHNSON,  
J. HARRY WEAVER,  
*First Branch.*

A. W. DUKE,  
J. I. GROSS,  
JESSE R. OGLE,  
*Second Branch.*



Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Thomas Voyce, to erect a brick-kiln upon his premises at Winans' ground, on the west side of Light street, beyond Winder street, provided said brick-kiln shall be removed, at the expense of the owner, upon sixty days' notice from the Mayor.

On motion of Mr. Weaver, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Bond, the Branch adjourned until tomorrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Thursday, March 9, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell and Kernan.

Mr. Freeburger presented a petition from Thomas White and others, for a repeal of the ordinance for the opening of Sterrett street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Trippe presented a petition from the Union Protestant Infirmary, for an appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

The President presented a petition from Thomas Shorter and others, for the placing of three or more gas lamps on St. Mary's street, between Druid Hill avenue and Tessier street, which was read and referred to the Joint Standing Committee on City Property.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the resolution in relation to the re-building of the Lafayette Market, the President accordingly announced the special order of the day, which was read.

Mr. Trippe offered the following as a substitute, which was read :

Resolved, That the matter be referred back to the Committee on Markets, to inquire and report a resolution providing for the payment of all damages to the contractor for the falling of the market, and for the annulling of his contract.

The question being on the substitute, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. Hudgins, Trippe, Smyrk, Bond, Price, Sommerlock, Randall, and Berry—8.

*Nays*—Messrs. President, Mills, Ward, Torsch, Freeberger, Ehlers, Johnson, Weaver, and Crout—9.

The substitute was declared lost.

The question recurring on the resolution, it was declared adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, March 9, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, at 5 o'clock.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Ehlers, the Branch concurred.

Mr. Johnson offered the following resolution, which was read :

Resolved by both Branches of the City Council of Baltimore, That a Joint Special Committee of three members from each Branch be appointed to make arrangements for painting the portrait of his Honor Mayor Banks, for the Gallery of Portraits of the Mayors of Baltimore, belonging to the city, and that they be authorized to make a contract with some Baltimore artist for that purpose, provided the cost shall not exceed three hundred dollars.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

The Chair appointed as said committee, Messrs. Johnson, Bond and Trippe on the part of this Branch.

Mr. Johnson introduced an ordinance entitled "An ordinance to increase the salary of the Register of the City and Deputy Register," which was read.

On motion the ordinance was laid upon the table.

The following resolutions were returned from the Second Branch, severally endorsed "adopted:"

Resolution of the Joint Standing Committee on Markets in reference to reduction of rent of stalls in Maryland Institute Market.

Resolution in reference to change of line of Western Maryland Railroad.

Resolution in reference to claim of James M. Rhett and Eliza M. Rhett.

Resolution in reference to application of watchmen, &c., of Court-house.

Resolution granting privileges to the West Baltimore Target Rifle Association.

Resolution to remove an old pump stock from No. 179 Mulberry street.

Resolution for erection of a new school-house for Male and Female Grammar Schools No. 17.

Resolution granting permission to Thomas Voyce to erect a brick-kiln.

Resolution referring claim of Jacob Hook to the Joint Standing Committee on Highways.

Resolution in favor of John B. Emory.

The following ordinances were received from the Second Branch, severally endorsed "passed:"

An ordinance to determine the salary of the Janitor of the City Hall.

An ordinance to permit Ernest Neurath to case up the wall of his property on the corner of Fayette and Park streets, and also to extend his building line four and a half inches on Park street.

An ordinance to change the name of Gist street to Patterson Park avenue.

An ordinance to condemn and open McElderry street, from Broadway to Register street.

An ordinance to repeal ordinance No. 58, of 1869, entitled "An ordinance to straighten Lanvale street, by condemning the projecting point which occurs at the intersection of Lanvale street with Fremont street.

An ordinance to condemn and open Dolphin street, from Pennsylvania avenue to Chatsworth street.

An ordinance to secure economy in the expenses of the City Council.

An ordinance to repeal and re-enact section 91, Article 43, of the Baltimore City Code, entitled "Streets and City Commissioner."

An ordinance to increase the pay of the lamplighters.



The Second Branch returned the resolution in relation to laying a gas main on Edward street, between Aisquith and Canal streets, with the following amendment, which was read :

Strike out the words "Canal street," and insert the words "Central avenue."

On motion of Mr. Freeberger, the Branch concurred.

A report from the Joint Standing Committee on Health, with the following resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and is hereby, granted to Messrs. Haskell, Lyon & Co. to manufacture Warfield's Patent Cold Water Soap, on their premises No. 33 South Eutaw street ; provided, however, that they do not manufacture the said soap from crude fat.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Ways and Means, with the following ordinance, was received from the Second Branch and read :

An ordinance to determine the pay of the Clerk to the Appeal Tax Court.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the salary of the Clerk to the Appeal Tax Court be sixteen hundred dollars per annum.

SEC. 2. Be it enacted and ordained, That all ordinances, or parts of ordinances, conflicting with this ordinance, be, and the same are hereby, repealed.

SEC. 3. Be it enacted and ordained, That this ordinance take effect from the 7th day of March, 1871.

Mr. Trippe offered the following amendment, which was read :

In section 3, strike out the words "the 7th day of March, 1871," and insert in lieu thereof the words "and after the date of its passage."

The question being on the amendment, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas* — Messrs. President, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—18.

*Nays*—None.

The amendment was declared adopted.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. President, Trippe, Bruce, Smyrk, Ward, Torsch, Bond, Price, Berry, Freeberger, Ehlers, Johnson, and Crout—13.

*Nays*—Messrs. Hudgins, Mills, Sommerlock, Randall, and Weaver—5.

The title was approved, and the ordinance declared passed.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have the old pump-stock, corner of Eden and McElderry streets, repaired, and the expense of the same to be taken out of the appropriation for pumps for 1871.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read.

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed forthwith to put in proper repair the pump and well on Cumberland street, between Pennsylvania avenue and Gilmore street, the cost of the same to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Weaver, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the pump on the northeast corner of Bank and Washington streets, repaired, the expense of the same to be taken out of the appropriation for pumps for 1871.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the pump on the northwest corner of Gough and Wolfe streets, the same to be paid for out of the appropriation for pumps for 1871.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following communication, with an ordinance entitled

“An ordinance supplementary to an ordinance entitled ‘An ordinance to provide for the medical and surgical treatment of indigent persons by the Professors of Washington University and the University of Maryland—Medical Department—approved October 22, 1870,’ ” was received from the Second Branch and read :

MAYOR’S OFFICE, CITY HALL,  
Baltimore, February 28, 1871.

*To the Honorable the Members of the First  
and Second Branches of the City Council :*

GENTLEMEN:—“An ordinance supplementary to an ordinance to provide for the medical and surgical treatment of indigent persons by the Professors of the Washington University, and of the University of Maryland—Medical Department—approved October 22, 1870,” is herewith returned, without my official sanction, for the reasons following :

The original ordinance, to which this is a supplement, provides for the medical treatment and maintenance, by the Universities above mentioned, of indigent persons—to a number not to exceed fifty each, per month—entitled to the benefits of the Almshouse of the City, during the period, between the 15th of September and the 15th of February, embracing the larger portion, if not the entire term of their respective scholastic sessions. One of the considerations that lead to the adoption of that ordinance was the great practical aid that would be rendered, through the clinical advantages derived from full hospitals, to the instructions given at these schools. This is certainly a wise consideration. But, as these schools are not in session from the 15th of February to the 15th of September (the students having gone to their respective homes), in which time the ordinance before me authorizes the sending to them of indigent patients, this advantage must utterly fail. As regards the *good* of the patient himself, (which, under the limitation of our public duty must certainly be the question of primary importance with us), I am satisfied that he is as well taken care of at the Almshouse as in these hospitals, situated in the city, and certainly at a *much smaller* cost to the pub-



lic. Our physicians at Bayview are capable and attentive, and the poor committed to its care are well provided for.

From duplicate reports before me, from the University Hospitals, we see that the aggregate cost of the city's patients, treated during the three months ending the 31st of January, was (\$2,388.24), two thousand three hundred and eighty-eight dollars and twenty-four cents.

Very respectfully,

ROBERT T. BANKS,

*Mayor.*

On motion of Mr. Trippe, the vote by which the said ordinance was passed, was reconsidered.

The question being "Shall the engrossed bill be passed, notwithstanding the objections of his Honor the Mayor?" the ordinance was declared passed, and the title approved.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Water, to whom was referred the petition of Christian Muhly, asking the privilege of sinking a well under the sidewalk in front of his premises, No. 391 S. Charles st., for the drainage of a cellar, respectfully report that they have duly considered the subject and think that the privilege asked should be granted. They therefore recommend the adoption of the following resolution:

G. MORRIS BOND,

LEWIS EHLERS,

JOHN M. BRUCE,

*First Branch.*

JOHN MILROY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore,

That permission be, and the same is hereby, granted to Christian Muhly to sink a well, at his own expense, in front of his premises, No. 391 S. Charles street, provided the said well be properly arched over as required by law.

On motion of Mr. Ehlers the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on the Fire Department, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on the Fire Department, to whom was referred the petition of the members of the various Fire and Hook and Ladder Companies of the city of Baltimore, asking that the Board of Fire Commissioners, in the event of death or other accident to a member of any Fire or Hook and Ladder Company, be authorized to pay the family of such member certain money, or to continue his salary during disability, respectfully state that they have carefully investigated the subject, and believe that it is right and proper that some provision should be made.

The duties of a fireman are of such a character that at any moment he may be killed, disabled for life, or for a time ; and under a resolution of the Board of Fire Commissioners, (lately made) "that no member's salary should be paid during his absence from actual service," members' families are left in a most precarious condition, as to their future condition, in the event of accident or death overtaking them while in the discharge of their dangerous duties.

We have therefore fully considered the application, made by the officers and members of the Fire Department of the City of Baltimore, and believing that the provision asked for is a measure due by the city to its firemen, your committee have prepared the accompanying ordinance, and respectfully ask its passage.

S. SANDS MILLS,  
JOHN W. TORSCH,  
J. C. RANDALL,

*First Branch.*

J. I. GROSS,

*Second Branch.*

On motion, the ordinance was declared laid on the table.

On motion of Mr. Ehlers, the Branch adjourned until Monday afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, March 13, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Randall and Crout.

Mr. Hudgins presented a petition from Jos. Files, keeper of the Drawbridge, for an increase of pay, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Johnson presented an invitation from "The United Irishmen of Baltimore," to attend a lecture by O'Donovan Rossa, at Maryland Institute, Friday evening, March 17.

On motion of Mr. Johnson, the invitation was accepted.

The President presented a petition from W. W. Glenn, for abatement of tax of three per cent. on paving bills, which was read and referred to the Joint Standing Committee on Claims.

Mr. Mills presented a petition from John Guyton, keeper of Madison Square, for an increase of salary, which was

read and referred to the Joint Standing Committee on Ways and Means.

Mr. Mills presented a petition from J. H. Snyder & Bros. and others, butchers in Richmond Market, against erecting a hall over that market, which was read and referred to the Joint Standing Committee on Markets.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized to repair the pump on the northwest corner of Sharp and Camden streets, by putting a new stock in the well.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

Mr. Weaver offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Republican street, between Saratoga and Franklin streets.

On motion of Mr. Weaver, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Tuesday, March 14, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Bruce, Mills and Kernan.

Mr. Crout presented a petition from the Clerks of the various markets, asking an increase of salary, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Johnson presented the following communication from John H. Cooper, Port Warden, covering the following communications which were read :

PORT WARDEN'S OFFICE, CITY YARD,  
Baltimore, March 11, 1871.

*J. G. Johnson, Esq.,*  
*Chairman Harbor Committee :*

DEAR SIR,—There is a Dredging Machine belonging to the U. S. government now lying on the south side of the basin, near the City Yard, which I think can be purchased for \$6,000 or \$7,000. I have examined it, and find it in good working order, and think it would be better at this time to purchase this one than to build a new one, which will cost \$15,000 to \$18,000, besides the loss of time.

For the work contemplated during the present season, the machines now belonging to this department will be taxed to their utmost capacity, and I would therefore recommend the Harbor Committee to endeavor to make some arrangement with Col. Craighill for the purchase of this machine, the amount paid to be deducted from the harbor appropriation.

Respectfully yours,

JNO. H. COOPER, *Port Warden,*

*Per* JESSE REMINGTON.

ENGINEER'S OFFICE, UNION BANK BUILDING,  
Baltimore, March 13th, 1871.

*Jos. G. Johnson, Esq., Chairman of  
Harbor Committee of City Council, Baltimore, Md.:*

MY DEAR SIR,—At the interview which I had a few days ago with your committee, I made some statements as to my expectation of a speedy completion of the *beacons* for the new channel below Seven-Foot Knoll.

It now seems proper that I should give you the information which has to-day reached me, concerning probable delay in that work. I accordingly transmit a copy of a letter written to the Chairman of a Committee of the Corn and Flour Exchange, with which committee I had an interview to-day, at their invitation.

Very respectfully yours,

WM. P. CRAIGHILL.

(Copy)

U. S. ENGINEER OFFICE,  
Baltimore, March 13, 1871.

*John S. Williams, Esq., Chairman Committee  
of Corn Exchange, &c., Baltimore, Md.*

MY DEAR SIR—I take pleasure in stating in writing, at the request of your committee, what I stated verbally this morning, that I consider the erection of range beacons for the use of what is called the “*Craighill Channel*,” as of very great importance at this time to the commercial interests of your city. The usefulness of that channel is admitted by all. At present, it cannot be used at night for want of range beacons. Even in daylight these beacons are of great importance, as buoys are constantly getting out of place.

I have from time to time urged upon the Light House Board in Washington the importance of putting them in place. Recognizing this necessity, the estimates were prepared, the locations selected, and it was thought certain the necessary funds would be provided by Congress for the immediate erection of these beacons. I regret to learn this

morning that the item of \$40,000 for the two beacons was stricken out of the Light House Bill by Congress at the session just closed.

It was suggested in your committee to-day, that possibly a special appropriation could be obtained from the present Congress, if a prompt and energetic effort were made in that direction. I sincerely hope such a result may be attained.

Very respectfully, &c.,

(Signed)

WM. P. CRAIGHILL.

On motion of Mr. Johnson, the communications were referred to the Joint Standing Committee on the Harbor.

Mr. Price presented a petition from F. W. Pearson and others, in relation to mad dogs, which was read and referred to the Joint Standing Committee on Police and Jail.

Mr. Torsch presented a petition from H. D. G. Carroll, for permission to erect a bay-window on south side of Baltimore street, between Light and Grant streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Weitzell submitted the following ordinance, which was read :

An ordinance to authorize the appointment of an additional lamplighter.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That section 106, of Article 43 of the Baltimore City Code be so amended as to authorize the Mayor to appoint an additional lamplighter for the Eastern District of Baltimore City.

SEC. 2. And be it further enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Weitzell, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Bond offered the following resolution, which was read :

Resolved by both Branches of the City Council of Baltimore, That the Joint Standing Committee on Ways and Means be, and they are hereby, instructed, in reporting the annual appropriations for the year 1871, to make no appropriation for any institution denominational or sectarian in its character.

On motion of Mr. Bond, the resolution was read a second time, by special order.

On a motion by Mr. Crout to lay the resolution on the table, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. Trippe, Smyrk, Bond, Price, Sommerlock, Freeberger, and Crout—7.

*Nays*—Messrs. President, Weitzell, Hudgins, Ward, Torsch, Randall, Berry, Ehlers, Johnson, and Weaver—10.

The motion was declared lost.

On a motion by Mr. Johnson to indefinitely postpone the resolution, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Ward, Torsch, Price, Sommerlock, Randall, Freeberger, Johnson, and Weaver—13.

*Nays*—Messrs. Bond, Berry, Ehlers, and Crout—4.

The motion to indefinitely postpone was declared adopted.

Mr. Bond offered the following resolution, which was read :

Resolved, That the Joint Standing Committee on Ways and Means be, and they are hereby, instructed to examine



into, and report to this Council, what equalization, if any, is in their opinion, proper in the salaries of officials connected with the city markets.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Price offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Superintendent of the Police and Fire Alarm Telegraph be, and he is hereby, authorized and directed to have a fire alarm box placed at once at the eastern end of the North avenue bridge, and that he draw upon the Comptroller for the sum of \$570, or so much thereof as may be necessary to pay for the same, the amount to be provided for in the annual levy for 1871.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Crout, the Branch adjourned until tomorrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Wednesday, March 15, 1871.

The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell, Smyrk and Kernan.

The President presented a petition from James E. Stansbury and others, in favor of tunneling Harris' Creek, which was read and referred to the Joint Standing Committee on Highways.

The President presented a petition from Wm. Carr, for permission to construct a sewer from his premises, No. 155 Castle street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Johnson presented a petition from James R. Brewer, Clerk of the Circuit Court, for an appropriation of one thousand eight hundred dollars, to transcribe and obtain new docket books, which was read, and, on motion, laid upon the table.

Mr. Bruce presented a petition from Wm. J. King, for the erection of a new market and public hall, similar to the one on Broadway, at Belair Market, which was read and referred to the Joint Standing Committee on Markets.

The President presented the following communication from his Honor the Mayor, covering the following communication from Wm. H. Norris, City Counsellor, which were read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, March 14, 1871.

*To the Honorable the Members of the  
First and Second Branches of the City Council :*

GENTLEMEN—

I have the pleasure to enclose for your information a communication from Col. Wm. Henry Norris, City Coun-

seller, handing to me a copy of the opinion of the Supreme Court of the United States, in the case of "The Mayor and City Council of Baltimore, plaintiff in error, *vs.* the Baltimore and Ohio Railroad Company," and am,

Very respectfully,

ROBERT T. BANKS, *Mayor.*

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Baltimore, March 13, 1871.

*Honorable R. T. Banks, Mayor :*

SIR :—I have this morning received a copy of the opinion of the Supreme Court of the United States in the case of the Mayor and City Council of Baltimore *vs.* the Baltimore and Ohio Railroad Company, which I herewith enclose, for the information of yourself and the members of the City Council.

In order that you may comprehend this opinion it is necessary to refresh recollection by stating; that in 1854 the City of Baltimore, in order to rescue the road company from bankruptcy, made and sold its bonds to the amount of \$5,000,000, and loaned the proceeds, less a sinking fund of ten per cent., under a contract that the interest, payable to the bond-holders, should be supplied quarterly in advance to the city, and in case "the Commissioners of Finance shall at any time elect to issue five per cent. sterling bonds as aforesaid, the cost of exchange, commission to agent in London, and all other expenses incidental to such payment, shall be chargeable to and paid by the President and Directors of the Baltimore and Ohio Railroad Company aforesaid; and it is hereby further provided, that *any and all* expenses incident to the issue of any of the bonds, whether currency or sterling as aforesaid, shall in like manner be chargeable to and paid by the said Railroad Company."

A compliance with the contract was secured by mortgage, in connection with other obligations, as to repayment of the principal of the loan.

No sterling bonds were issued. Afterwards, in 1862, the Internal Revenue Law directed railroad companies, &c., to deduct a tax of three per cent. from its "evidences of indebtedness," and made the companies collectors of the tax. The Internal Revenue Department claimed that the mortgage was an "evidence of indebtedness," and directed the Baltimore and Ohio Railroad Company to deduct the tax from the quarterly interest payable to the city. The Railroad Company felt constrained to obey this direction, and did deduct accordingly, and has deducted ever since, till July last. The City Counsellor, Mr. Price, and the corporation authorities thought the deduction incorrect, and that if the tax was legal it was payable by the Railroad Company.

He accordingly instituted suit against the Company in September, 1864, for the amount which had been then deducted.

The Circuit Court of the United States for this district held that the tax was payable, and that the Railroad Company had a right to deduct it from the quarterly payments due the city. The City carried the case, by writ of error, to the Supreme Court.

It is proper here to state that the Railroad Company has only paid \$13,500 of the large amount withheld by it. This payment was made in March, 1864.

I found the case in the Supreme Court when my official term commenced.

In the argument of the case, four points were made by the City.

1st. That assuming the tax to be legal, that this was a loan by one stock-holder for the common benefit of all the stock-holders. That in such transactions the law, from principles of justice, *implied* an agreement on the part of the benefitted stock-holders to indemnify the one making the accommodation loan, so that it should only bear its equal stockholder share of the tax.

2d. That the terms of the contract expressly stipulated



for all possible expenses connected with the transaction, and that as a municipal body, the City had no right to make a loan except on full security.

3d. That the holders of the bonds issued by the City paid the tax (whether legal or illegal), in the return of their incomes, and to deduct it from the City, who paid these bond-holders in full, was double taxation. The City had no authority to withhold the tax from the bond-holders.

4th. That the mortgage was the property of a municipality, and was no more taxable than any other property of the State, the municipality being a mere political agency of the State.

This last point, I am told, was not presented in the trial of the case before the Circuit Court.

It will be seen that the Court differs in opinion from the City in the construction of the contract of indemnity. Indeed the Court intimates that the terms used by the city to protect itself from all possible loss "incidental to the issue of any of the bonds," have, in fact, narrowed its rights, and made them less than they would have been if the loan had been made without any agreement as to indemnity, for the Court says, "It is always competent for parties capable of entering into a business arrangement to fix the terms of it, and to declare what shall be their respective rights and liabilities under it. If the Court can in any case see that this has been done, it is required to give effect to the contract the parties choose to make for themselves, *although in the absence of a special agreement on the subject, the rule to determine the rights of the parties might be different.*

They say that in this case the City meant by the terms "any and all expenses," merely to stipulate for indemnity against printing and stationery charges, and not for all possible forms of charge.

I am under the impression that no citizen contemporary with the transaction took, at the time, any such view of the agreement. But the case is a salutary lesson to the corporation, in its future dealings of assistance.

But as the Supreme Court has decided, since the institution of this suit, that the party whose income has been illegally assessed is the party to contest the matter with the government, and not the companies, which are the mere collectors of the tax, the Court in this case did not decide on the constitutional point, that the property of the City was not liable to taxation. It merely says, "This presents an important question; but the city is not in a condition to raise it, and, under the circumstances, can have no course of action against the Company for paying the tax."

It is fortunate that the Railroad Company has paid over but a small amount of the tax withheld, and even that was paid under *its* protest; so that it is competent for the city to take the necessary steps, under the Act to appeal to the Commissioner of Internal Revenue, and in case of his deciding the tax to be legal, the City can then be in a condition to raise the point of legality by admitting the tax to be paid by the Railroad Company under a proper protest from the city, and bringing, under the Act, a suit against the Collector.

I have no fear of the result. For in case of litigation, it is not supposable that the rights of the States as to their property, and that of their municipalities, would be deemed the correlative exemption which is extended to the property and bonds of the Federal Government. The point directly at issue in this, as to the exemption of city property, has virtually been decided by the Supreme Court, in the case of the City of Philadelphia *vs.* the Collector, reported in 5 Wallace.

The real difficulty is, that the principle which protects the property of the municipality, also protects *the bonds issued by municipalities for public purposes.*

When the Income Law is repealed, and the taxes on these bonds have been paid without protest, it will then, perhaps, be too late discovered that the taxation is unconstitutional.

Very respectfully,  
WM. HENRY NORRIS,  
*City Counsellor.*

On motion of Mr. Johnson, the communications were referred to the Joint Standing Committee on Ways and Means.

Mr. Trippe offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of fifteen hundred dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the purpose of transcribing the dockets of the Circuit Court of Baltimore city, or indexing the same and rebinding the originals.

On motion of Mr. Price, the resolution was read a second time, by special order and adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, March 15, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have named on the part of this Branch, Messrs. Duke, Kerr and Milroy, as the committee to carry out the resolution on the subject of the portrait of his Honor the Mayor.

By order,

GEO. T. BEALL, Jr., *Clerk.*

The Second Branch returned the following resolutions, severally endorsed "adopted :"

Resolution to have painted the portrait of Mayor Banks.

Resolution to have gas mains laid on Republican street.

Resolution granting permission to Christian Muhly to sink a well.

The Second Branch returned the ordinance for the improvement of Jones' Falls with the following amendment, which was read :

In line 3, of sec. 2 of printed bill, after the word "shall," strike out all to the word "and" in the 4th line, and insert the words "serve without pay."

Mr. Trippe moved to concur in the amendment, upon which Mr. Price moved as a substitute to non-concur.

The question being on the non-concurrence, the yeas and nays were demanded by Mr. Bond.

Pending the question, Mr. Crout moved that the ordinance and amendments be laid on the table, and made the special order of the day for Monday afternoon, at 5½ o'clock.

On which, Mr. Price called the yeas and nays, resulting as follows :

*Yeas*—Messrs. Mills, Bond, Randall, Berry, Ehlers, and Crout—6.

*Nays*—Messrs. President, Hudgins, Trippe, Bruce, Ward, Torsch, Price, Sommerlock, Freeberger, Johnson, and Weaver—11.

The motion was declared lost.

Col. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a communication from his Honor the Mayor.

On a motion by Mr. Berry that the ordinance and amendment be laid on the table, and made the special order of the day for to-morrow afternoon, at 6 o'clock, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :

*Yeas*—Messrs. Hudgins, Trippe, Bruce, Mills, Bond, Price, Randall, Berry, Ehlers, and Crout—10.



*Nays*—Messrs. President, Ward, Torsch, Sommerlock, Freeberger, Johnson, and Weaver—7.

The motion was declared adopted.

The President presented the following communication from his Honor the Mayor, covering the following communication from Wm. H. Norris, City Counsellor, and R. D. Morrison, City Solicitor, which were read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, March 15, 1871.

*To the Honorable the Members of the  
First and Second Branches of the City Council :*

GENTLEMEN—

I have the honor to transmit to you a communication from the law officers of the city, giving to our consideration a certain embarrassment that has grown out of the fact that the proceedings under ordinance No. 60, of 1868, authorizing the condemnation and opening of Park street, northwardly from Richmond street, have been prejudicial to certain rights of the proprietors of the estate of the late Col. John Eager Howard, which rights were reserved to them by Act of the General Assembly, in the year 1828.

The law officers suggest two courses of action on the part of the Corporation, whereby to repair the difficulty, and recommend the former of them as being better for the city. In their opinion I concur, and beg only to add that there exists a reason for prompt attention to the case in the desire to stay legal proceeding already instituted against the Corporation.

I give the matter to your legislative experience, and am,

Very respectfully,

ROBERT T. BANKS, *Mayor.*

*To the Honorable the Mayor and  
City Council of Baltimore :*

GENTLEMEN—

We deem it our duty to call your attention to a complication that has grown out of the proceedings under ordinance No. 60, of 1868, for the condemnation and opening of Park street, northwardly from Richmond street, with a view to such action as it may please you to take in the premises.

In the year 1828, the following Act was passed by the General Assembly of Maryland.

“SECTION 1. Be it enacted by the General Assembly of Maryland, That Joseph W. Patterson, George Hoffman, Solomon Etting, James Mosher and Stewart Brown (Commissioners appointed by the High Court of Chancery to divide the real estate of the late Colonel John Eager Howard) or a majority of them, be, and they are hereby, authorized and empowered to open and condemn, as public highways forever, all such streets, lanes and alleys, or such parts thereof within the bounds of the said estate, and within the limits of the city of Baltimore, as they may deem advisable.

SEC. 2. And be it further enacted, That if at any time hereafter any of the above mentioned streets, lanes or alleys shall be further opened and extended, beyond the limits of the said estate, and any part of the said estate shall be taxed for such opening or exclusion, then, and in such case, the proprietors of any such lot so taxed shall be considered as entitled to one-half of the bed of the street immediately in front of such lot, and shall be entitled to claim damages for the taking of the same, in the same manner as he or she might do if the street were then to be first opened and made public.

SEC. 3. And be it enacted, That it shall be the duty of the Commissioners aforesaid, or a majority of them, to make a return, under their hands and seals, to the Mayor of the City of Baltimore, specifying what streets, lanes or alleys they have so condemned, which return shall be filed in the office of the Register of the City.”

Under the power and authority conferred by this act the Commissioners therein named proceeded to lay out certain streets, among which was Park street, from the north side of Franklin to the south side of Richmond, and complied with the third section of the act by filing a return of their proceedings with the City Register.

By the second section it will be seen that provision was made, that in case any of the holders of property on the streets so condemned and laid out by the said Commissioners should be assessed for the further opening of any of said streets, they should be deemed to be the owners respectively of one-half the bed of the street immediately in front of their respective lots; and should be entitled to be paid damages for the same as if the said street were then for the first time to be opened.

In their proceedings under the ordinance above mentioned, the Commissioners for opening streets, (probably not aware of the existence of this law), assessed the owners of this property on Park street, between Franklin and Richmond, for the amount, in the aggregate, of six thousand six hundred and thirty-nine dollars and forty-one cents.

This renders necessary, on the part of the corporation one of two courses of action; that is to say, either to relieve the holders of the property in question of the assessment, (refunding the same to such of said owners as may have already paid it), and assuming the payment of this amount in addition to the sum assessed as against the corporation by the Commissioners, or to provide for the awarding of damages to the owners of the said property, between the points named, as if the street were now for the first time to be opened.

Litigation upon the subject has already commenced, one of the said owners having applied for an injunction to prevent the collection of the sum assessed against him.

We respectfully suggest that of the courses above indicated, the adoption of the first would involve much the less expense and delay.

Very respectfully,

Your obedient servants,

WM. HENRY NORRIS,

*City Counsellor.*

R. D. MORRISON,

*City Solicitor.*

On motion of Mr. Crout, the communications were referred to the Joint Standing Committee on City Property.

On motion of Mr. Ehlers, the Branch adjourned until tomorrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Thursday, March 16, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Kernan.

Mr. Weitzell presented a petition from stall owners at the Fell's Point Market, for a reduction of rent, which was read and referred to the Joint Standing Committee on Markets.

The President presented a petition from E. W. Robinson and others, for the tunneling of Harris' Creek; which was read and referred to the Joint Standing Committee on Highways.

The President presented a petition from Andrew J. Randolph and others, for the tunneling of Harris' Creek, which was read and referred to the Joint Standing Committee on Highways.

Mr. Ward presented a petition from A. Croyeau, protesting against permission being given to H. D. G. Carroll to erect a bay-window on Baltimore street, near Light, which was read and referred to the Joint Standing Committee on Highways.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of James Fahey, asking a return of money paid the city for property sold to said Fahey, have given the subject due consideration, and have consulted the Comptroller in their investigations of the subject. The facts of the case are as follows: The Commissioner for Opening Streets sold to said Fahey the material in a brick house, condemned for the opening of Park street; a portion of this material he received, but another part of it he could not get

on account of a wall in one part of the property being a party wall and a portion of an adjoining house. The committee therefore think Fahey entitled to a part of his demand, and recommend the adoption of the following resolution :

BENJ. PRICE,  
H. CROUT,  
J. H. FREEBURGER,  
*First Branch.*  
J. I. GROSS,  
CHAS. G. KERR,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby authorized and instructed to pay or return to James Fahey, out of any money he may have in his hands not otherwise appropriated, the sum of one hundred dollars, provided a proper receipt is given therefor.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Henry Otto, for a return of water rent paid in error, have given the subject due consideration; they have been unable to discover error in the payment of said rent, and having submitted the petition of said Otto to the Water Board, the said board have reported the payment as correct, and the sum as a proper amount for the petitioner's house; they recommend the adoption of the following resolution :

BENJAMIN PRICE,  
JACOB H. FREEBERGER,  
H. CROUT,  
*First Branch.*  
CHAS. G. KERR,  
*Second Branch.*

Resolved that the Committee be discharged from the further consideration of the subject.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of George Cuttle, asking a return of money paid to the City Collector, have examined the subject and find the following to be the state of facts : That the City Collector sold to the said Cuttle a lot of ground, claiming the right to sell on the ground of taxes due and unpaid thereon, and having received an amount of money from said Cuttle, discovered that the property sold belonged to the Baltimore and Ohio Railroad Co., and was not taxable.

The committee have also in their investigation referred the matter to the City Collector, who certifies that the amount of the bill as paid (\$76.57) is correct; they therefore recommend the adoption of the following resolution :

BENJ. PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

J. I. GROSS,  
CHAS. G. KERR,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and instructed to pay back or return to George Cuttle, seventy-six dollars and fifty-seven cents, amount of purchase money and taxes paid in error by said Cuttle on the property aforesaid, provided a proper receipt is given therefor.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of W. H. Leonard, have considered the subject, and finding that the said Leonard has instituted suit against the city for the recovery of said claim, the committee think it best to let the merits of the case be decided by the tribunal he has chosen ; they recommend the adoption of the following resolution :

BENJ. PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

CHAS. G. KERR,

*Second Branch.*

Resolved that the Committee be discharged from the further consideration of the subject.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Laurason & Smith, asking a return of taxes paid in error, to the amount of \$79.80, on fifty-seven shares of George's Creek Coal and Iron Co.'s stock, have examined the matter, and find it identical with the case of James Birkhead, Jr., heretofore passed by this Council, that is to say, that said stock was exempt from taxation of the city by law, and the amount was therefore paid



in error ; the committee therefore recommend the adoption of the following resolution :

BENJ. PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

J. I. GROSS,  
CHAS. G. KERR,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay or return to Laurason & Smith, the sum of seventy-nine dollars and eighty cents, amount of taxes paid in error to the city on the stock of the George's Creek Coal and Iron Co.; and that the same shall be paid out of any money the Register may have in his hands not otherwise appropriated, provided a proper receipt is given therefor.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Mary Meredith, have investigated the matter and are unable to discover error in the payment of the taxes, but the committee are unwilling to close the door to said petitioner by an absolute rejection of her claim, and think the matter could be better settled by the Collector of the city ; they therefore recommend the adoption of the following resolution :

BENJ. PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

CHAS. G. KERR,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the petition of Mary Meredith, with the accompanying papers, be referred for settlement to the City Collector, and that the Committee on Claims be discharged from the further consideration of the subject.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Sarah McCullough, asking a return of taxes paid in error, have examined the subject and are satisfied that said Sarah McCullough has paid the said amount of taxes on property which did not belong to her ; they therefore recommend the adoption of the following resolution :

BENJ. PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

CHAS. G. KERR,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized to pay or return to Sarah McCullough the sum of five dollars and eighty-five cents, amount of taxes paid in error, out of any money he may have in his hands not otherwise appropriated, provided a proper receipt is given therefor.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, March 16, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, at 5 o'clock.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Sommerlock, the Branch concurred.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the application of the Hibernian Society, for the repayment of the sum of two hundred and thirty-six dollars, paid by them for the opening of Lexington street, from North to Holliday street, are of the opinion that owing to the peculiar nature of the property of the society in that vicinity, it is not at all benefitted by the said improvement, and inasmuch as the legal opportunity of an appeal from said assessment has elapsed by duration of time, and as the only recourse of remedy is in this body, your committee recommend the adoption of the following resolution :

A. C. TRIPPE,  
H. CROUT,  
BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized to pay the sum of two hundred and thirty-six dollars, taxes paid by the Hibernian Society for the opening of Lexington street, between North and Holliday street, be repaid to that society.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Berry, a committee of two was appointed to invite the Second Branch into convention with the First on a sealed communication from his Honor the Mayor.

The Chair named as such committee—Messrs. Berry and Bruce.

The two Branches then went into convention, and after remaining therein for some time, the members of the Second Branch returned to their Chamber.

The hour of 6 o'clock having arrived, being the hour for the consideration of the ordinance for the improvement of Jones' Falls, the President accordingly announced the special order of the day.

The question being upon the substitute of Mr. Price, viz: to non-concur in the amendment proposed by the Second Branch, the yeas and nays were demanded by Mr. Ward, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Bruce, Smyrk, Ward, Torsch, Price, Berry, Freeberger, and Johnson—10.

*Nays*—Messrs. President, Trippe, Mills, Bond, Sommerlock, Randall, Ehlers, Weaver, and Crout—9.

The substitute was declared adopted.

Mr. Price moved to appoint a committee of conference on the subject of the difference of opinion in relation to the improvement of Jones' Falls.



The motion was declared adopted, and the Chair named as the committee on the part of this Branch—Messrs. Price, Trippe and Crout.

Mr. Smyrk offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Port Warden be, and is hereby, authorized and directed to place an anchorage bouy in the northeast part of the harbor of Baltimore, on a line from the foot of Fell street to the Lazaretto Light-house, and that all vessels be compelled to anchor to the northward of said bouy or to be subject to a fine of \$10 per hour for every hour they may remain at any other anchorage in the harbor, after having been duly notified in writing by the Port Warden to anchor inside the above prescribed limits.

On motion of Mr. Smyrk, the resolution was referred to the Joint Standing Committee on the Harbor.

Mr. Mills introduced the following ordinance, which was read :

An ordinance in relation to fines and penalties imposed under ordinances of the Mayor and City Council of Baltimore.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That hereafter no informer shall be entitled to any portion of any fine or penalty imposed by virtue of any ordinance of the Mayor and and City Council.

SEC. 2. And be it enacted, That all such parts of any existing ordinance, or ordinances, as may conflict with the provisions of this ordinance be, and the same are hereby, repealed.

SEC. 3. And be it enacted, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Mills, the ordinance was read a second time, by special order.

The question being on the passage of the ordinance, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—17.

*Nays*—Mr. Bond—1.

The title was approved, and the ordinance declared passed.

Mr. Bond offered the following resolution, which was read :

Resolved by both Branches of the City Council of Baltimore, That his Honor the Mayor be respectfully requested to issue his proclamation as empowered by "Section 25" of the Article of the City Ordinances entitled "Licences" requiring that all dogs, licenced under the provisions of said ordinance, shall be muzzled when running at large; and that his Honor be further requested to authorize by commission, suitable persons to destroy all dogs not licensed, as provided for by section 23 of said ordinance.

On motion of Mr. Bond, the resolution was read a second time, by special order.

On a motion by Mr. Johnson to refer the resolution to the Joint Standing Committee on Police and Jail, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. Hudgins, Ward, Freeberger, Ehlers, Johnson, and Weaver—6.

*Nays*—Messrs. President, Weitzell, Bruce, Smyrk, Mills, Torsch, Bond, Sommerlock, Randall, Berry, and Crout—11.

The motion was declared lost.

The question recurring on the resolution, it was declared adopted.

The following preamble and resolution was received from the Second Branch which were read :

Whereas, A letter has been addressed to John S. Williams, Esq., Chairman of a committee of the Corn and Flour Exchange, by Major Wm. P. Craighill, U. S. Engineer, in charge of deepening the channel of the Patapsco river and approaches to Baltimore, of which the following is a copy :

BALTIMORE, March 13, 1871.

*John S. Williams, Esq., Chairman Committee  
of Corn Exchange, &c., Baltimore, Md.*

MY DEAR SIR—I take pleasure in stating in writing, at the request of your committee, what I stated verbally this morning, that I consider the erection of range beacons for the use of what is called the “Craighill Channel,” as of very great importance at this time to the commercial interests of your city. The usefulness of that channel is admitted by all. At present, it cannot be used at night for want of range beacons. Even in daylight these beacons are of great importance, as buoys are constantly getting out of place.

I have from time to time urged upon the Light House Board in Washington the importance of putting them in place. Recognizing this necessity, the estimates were prepared, the locations selected, and it was thought certain the necessary funds would be provided by Congress for the immediate erection of these beacons. I regret to learn this morning that the item of \$40,000 for the two beacons was stricken out of the Light House Bill by Congress at the session just closed.

It was suggested in your committee to-day, that possibly a special appropriation could be obtained from the present Congress, if a prompt and energetic effort were made in that direction. I sincerely hope such a result may be attained.

Very respectfully, yours,

WM. P. CRAIGHILL.

*Maj. of Engs. Bvt. Lt. Col.*

And whereas, The commercial interest of our city is greatly dependent upon the erection at once of two range beacons, as set forth in the letter of Major Craighill ; therefore, be it

Resolved by the Mayor and City Council of Baltimore, That the United States Senators and Representatives in Congress from our State, be urgently requested to use every effort in their power to have passed a special appropriation by Congress of \$40,000, to carry out the views of Major Craighill, as set forth in the above letter.

Resolved further, That the Hon. Geo. Vickers, one of the Committee on Commerce, be requested to use his best endeavors with the committee to recommend said appropriation.

On motion of Mr. Price, the resolution was read a second time, by special order and adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, March 16, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that a Joint Special Committee of three members of each Branch be appointed to communicate with our Senators and Representatives at Washington, and to present to them the resolutions of the Council in reference to a special appropriation for two range beacons for the Craighill Channel, and name on the part of this Branch—Messrs. Kerr, McCoy and Duke.

By order,

GEO. T. BEALL, Jr., *Clerk.*

On motion of Mr. Crout, the Branch concurred, and the Chair named as the committee on the part of this Branch—Messrs. Crout, Mills and Bond.

A report from the Joint Standing Committee on Ways



and Means, with the following ordinance, were received from the Second Branch and read :

An ordinance to increase the number of Bailiffs in the City Collector's office.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Collector shall have authority to appoint eleven Bailiffs.

SEC. 2. Be it further enacted, That each of said Bailiffs shall receive the sum of four hundred and fifty dollars per annum, payable monthly, for their services as assessors, under direction of the Appeal Tax Court.

SEC. 3. Be it further enacted, That the sections of Article 45, Baltimore City Code, and of all ordinances or parts of ordinances conflicting with this ordinance, be, and the same are hereby, repealed.

SEC. 4. Be it further enacted, That this ordinance shall take effect from and after the date of its passage.

On motion of Mr. Price, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

A report from the Joint Standing Committee on Bridges, with the following resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That Resolution No. 234, approved October 25, 1870, being a resolution to purchase Gwynn's Falls bridge, be, and the same is hereby, repealed.

On motion of Mr. Bond, the report and resolution were recommitted to the Joint Standing Committee on Bridges.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and instructed to have the side-walk in the circle around Washington Monument, repaved; and that the expense of said work be taken out of any money not otherwise appropriated.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Water, with the following resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have the old pump stock in the well on the corner of Hamburg and Sharp streets, removed, and a new one placed therein, the expense of the same to be taken out of the levy for pumps of 1871.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to have Point Lane, east of Greemount avenue, shelled, and that the sum of three hundred dollars (\$300), be, and the same is hereby, appropriated, or so much of said sum as may be necessary, the same to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Mills called up printed ordinance, known as No. 9 on the file, entitled "An ordinance for the relief of the mem-

bers of the Fire Department of the City of Baltimore, who may be disabled while in the discharge of their duties, and to provide for their families in case of death occurring in the service," which was read.

Mr. Price offered the following amendment, which was read :

In section 2, line 6, after the word "family," add the words "including father and mother depending on," and in same section, 8th line, after the word "children," add the same words.

The amendment was declared lost.

Mr. Bruce offered the following amendment, which was read :

In section 2, line 7, strike out the word "five," and insert in lieu thereof the word "fifteen."

The amendment was declared lost.

Mr. Smyrk offered the following amendment, which was read :

In section 2, line 7, strike out the word "five," and insert in lieu thereof the words "one thousand."

The question being on the amendment, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Bruce, Smyrk, Price, Randall, Freeberger, and Weaver—7.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Mills, Ward, Torsch, Bond, Sommerlock, Berry, Ehlers, Johnson, and Crout—12.

Mr. Trippe moved to reconsider the amendment, and on motion, the amendment was declared lost.

Mr. Trippe moved to reconsider the first section of the bill.

The motion was declared adopted.

Mr. Trippe offered the following amendment, which was read :

In section 1, line 7, strike out the words "during such disability," and insert in lieu thereof the words "for the space of twelve months, provided his disability shall last that time."

The question being on the amendment of Mr. Trippe, the yeas and nays were demanded by Mr. Price, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, and Weaver—17.

*Nays*—None.

The amendment was declared adopted.

The title was approved, and the ordinance declared passed.

The following message was received from the Second Branch and read.

IN SECOND BRANCH,  
Baltimore, March 16, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition to appoint a committee of conference on the disagreeing votes on the matter of the improvement of Jones' Falls, and name on the part of this Branch—Messrs. Kerr, Milroy and Gross.

By order,

GEO. T. BEALL, Jr., *Clerk.*



The Second Branch returned the ordinance entitled "An ordinance to authorize the appointment of an additional lamplighter," endorsed "passed."

The Second Branch returned the following resolutions, severally endorsed "adopted :"

Resolution instructing the Joint Standing Committee on Ways and Means to equalize the salaries of the officials of the city markets.

Resolution appropriating fifteen hundred dollars for the purpose of transcribing the dockets of the Circuit Court.

On motion of Mr. Weitzell, the Branch adjourned until Monday afternoon, at five o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, March 20, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Kernan and Johnson.

Mr. Smyrk presented a petition from W. McClintock and others, against running streets through the Maryland Hospital grounds, which was read and referred to the Joint Standing Committee on Highways.

Mr. Mills presented a petition from Robert Turner and others, for the closing of certain streets through the grounds of the Maryland Hospital, which was read and referred to the Joint Standing Committee on Highways.

Mr. Mills presented a petition from Jacob Ellinger and others, for the closing of certain streets through the grounds of the Maryland Hospital, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bond presented a petition from the Trustees of the Maryland Inebriate Asylum, for an appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Smyrk presented a petition from Chas. W. Bolton and others, for the opening of streets through the grounds of the Maryland Hospital, which was read and referred to the Joint Standing Committee on Highways.

Mr. Smyrk presented a petition from C. W. Whittman and others, for the opening of streets through the grounds of the Maryland Hospital, which was read and referred to the Joint Standing Committee on Highways.

Mr. Smyrk presented a petition from E. F. Namuth and others, for the opening of streets through the grounds of the Maryland Hospital, which was read and referred to the Joint Standing Committee on Highways.

Mr. Freeberger presented a petition from N. Weisnancer, for permission to construct a sewer on the corner of Pratt and Penn streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Trippe presented a petition from Chas. Harold, for the erection of a gas lamp on the corner of Fayette street and Central avenue, which was read, and on motion, laid upon the table.

Mr. Freeberger presented a petition from John Burriss, for the return of money paid in error to the City Collector, at a tax sale, which was read.

On a motion of Mr. Trippe to lay on the table, the yeas and nays were demanded by Mr. Weaver, resulting as follows:

*Yeas*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Torsch, Ehlers, and Weaver—7.

*Nays*—Messrs. President, Weitzell, Mills, Ward, Bond, Price, Sommerlock, Randall, Berry, Freeberger, and Crout—11.

The Branch refused to lay the petition on the table.

On motion of Mr. Sommerlock, the petition was referred to the Joint Standing Committee on Claims.

The President presented an invitation from Nath. H. Thayer, to visit the Eastern Female High School, on next Friday, at 3 o'clock P. M., which was read, and on motion of Mr. Sommerlock, the invitation was accepted.

The President presented an invitation from the Faculty of the University of Maryland to visit the Infirmary and Free Dispensary, on Tuesday, 21st instant, at 1 o'clock P. M., which was read, and on motion of Mr. Trippe, the invitation was accepted.

Col. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a communication from his Honor the Mayor.

The President presented the following communication from his Honor the Mayor, covering a communication from Chas. J. Baker, which were read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, March 20, 1871

*To the Honorable the Members of the*

*First and Second Branches of the City Council :*

GENTLEMEN—

I have the pleasure to transmit to you a communication from Mr. Charles J. Baker, President of the Canton Company, conveying a proposition of sale to the city of certain lands for the extension of Patterson Park, under terms, as they seem to me, easy and liberal to the corporation.

The extension of said Park is very desirable, and if the terms proposed by the company, as well as the object to be attained, strike you also as favorable, I trust authority may be given the Park Commissioners to proceed at once in the matter.

Very respectfully,

ROBERT T. BANKS, *Mayor*.

OFFICE OF THE CANTON COMPANY,  
Baltimore, March 17, 1871.

*To the Honorable Mayor and City Council :*

GENTLEMEN—I am authorized on behalf of the Canton Company of Baltimore to offer through you to the city of Baltimore, all the land embraced within the following described streets and avenues that belongs to the company (say  $38\frac{1}{2}$  acres, more or less) for the proposed extension of Patterson Park, for the sum of eighty thousand dollars, subject to the terms and conditions annexed, to wit: Commencing at the present Park at the intersection of Pratt and Luzerne streets, and thence east along Pratt street to Patuxent street; thence south along Patuxent street to Canton avenue; thence east along Canton avenue to Canton street; thence south along Canton street to Lancaster street; thence west along Lancaster street to Patuxent street; thence north along Patuxent street to Canton avenue; thence west along Canton avenue to Patapsco street; thence north along Patapsco street to Bank street; thence west along Bank street to Luzerne street; and thence north along Luzerne street to Patterson Park at the intersection of Luzerne and Gough streets. Within these limits there is about 18 acres of land belonging to other owners than the Canton Company, which would make  $56\frac{1}{2}$  acres as the addition to Patterson Park.

The conditions of the above offer on the part of the Canton Company are: That Gough street and Eastern and Canton avenues shall be opened as thoroughfares through the Park in such a manner as not to mar its symmetry, or to interrupt the line of travel; and also that the streets and avenues binding on the outline of said land shall be graded, shelled or paved, at the expense of the city or Park Commissioners, within three years from this date.



The price per acre for the land thus offered is *less than one half the rate* at which land contiguous and beyond is now being sold and leased.

This offer on the part of the Canton Company to be open to the acceptance by the city of Baltimore or the Park Commissioners, until Monday noon, May 1, 1871, and if accepted, a liberal credit and settlement will be tended by the company.

Yours, truly and respectfully,

CHARLES J. BAKER,

*President.*

On motion of Mr. Bond, the communications were referred to the Joint Standing Committee on Parks.

The President presented the following communication from his Honor the Mayor, covering a communication from W. M. Mew, which were read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, March 20, 1871.

*To the Honorable the Members of the  
First and Second Branches of the City Council :*

GENTLEMEN—

The question of *how most effectually to guard against or prevent steam boiler explosions* has, for some time, engaged much of my attention—its importance having been, in the last year or two, painfully and forcibly brought to the public notice by fatal disasters in our midst occasioned by them. In my anxiety upon the subject, I have permitted no means of pertinent information to pass unquestioned, and have communicated to the Council all I have acquired that seemed even suggestive of a remedy. This grave matter has also had the consideration of the last two Councils, and must, while a question, continue to be of vital concern to our people.

As containing suggestions that seem to me of decided practical value in this connection, because the result, appa-

rently, of experiment and observation, I desire to lay before you the enclosed communication from Mr. W. M. Mew, which he has had the kindness to address me at my request.

Very respectfully,

ROBERT T. BANKS, *Mayor*.

BARNUM'S HOTEL, March 13, 1871.

*To the Honorable Robt. T. Banks,*

*Mayor of the City of Baltimore :*

SIR,—I regret to say that I am to-day prevented, by severe indisposition, from keeping the engagement which I made with you on Friday last, to wait upon you at your office for the purpose of expressing to you my views on the subject of boiler explosions, a subject in which you naturally, as Mayor of this city, and the public generally, especially in view of the protracted trial before the Superior Court, which has just terminated, are interested. At all times a matter of public concern, the trial has given it an increased interest, as well by reason of the issues involved as in view of the conflicting testimony of the experts who were examined for the purpose of determining the real cause of the catastrophe referred to.

For more reasons than one it is to be regretted that there should have been such a conflict of views as was given on that trial, for when men who hold prominent places in their profession disagree, their inferior brethren are left in the darkest doubt, and when told, on the one hand, that boilers explode by causes occult to ordinary men, and on the other, that low water in a boiler is in no sense a source of danger,, we cannot be surprised to find these men become at once scientifically muddled, and lamentably careless in the management of boilers, to the prejudice alike of their own safety and that of the public.

To my mind, sir, there is nothing so mysterious in this matter as some would have us believe, and I verily believe that the prevention, (which is said to be better than cure), of these disasters, is available to all. There are still some inquirers who adhere to the belief that the liberation of free hydrogen, by the decomposition of water in the boiler, is a prolific source of boiler explosions. This theory has

been so often successfully refuted, that, had it not been advanced upon the trial in question, I would be disposed to pass it by without further notice than that of pronouncing it scientific nonsense. But, in view of the fact that prominence has been given to it, it may not now be inopportune to advert to it here again. In doing so I shall be as brief as possible. It is alleged that, when the water in a boiler, through the negligence of the engineer, or by accident, becomes low, and the iron red hot, the water is brought into contact with the red hot boiler plates, and is at once decomposed, and the gases, oxygen and hydrogen, of which it is composed, are set free. This is based upon the fact that, under certain conditions, steam passed over iron at a bright red heat may be decomposed. This is easily accomplished, by the introduction into an iron or porcelain tube of a quantity of iron filings, or turnings, fixing the tube across a furnace, and heating it to a bright red heat; the vapor of water is then passed through the tube and decomposed, a permanent gas passing out of the tube, and, being conducted to a suitable vessel, may be collected over water. This gas is free hydrogen, the oxygen having readily combined with the iron to form an oxide of iron ( $F_{es} O_4$ ). I may here ask why the hydrogen in the red hot tube does not explode? It is because there is no free oxygen for it to combine with. In my opinion it would be by no means a difficult task, (and I say this after having made many experiments before arriving at what I believe to be a satisfactory conclusion upon this point), to show that conditions can seldom, if ever, exist within a boiler at all favorable to the decomposition of water, but I will not weary you by stating them. It is enough for me to say that inasmuch as hydrogen cannot explode except in the presence of oxygen, (as in the experiment with the tube), and inasmuch as the oxygen has combined with the iron to form the oxide, and is therefore no longer free, it is absolutely impossible for an explosion to take place. But let us follow this theory still further, and admit, for argument sake, the possibility of developing free hydrogen. The oxide is formed, as I before showed by the formula, of three atoms of iron = 84, (28 being the chemical equivalent), and four atoms of oxygen = 32, (8 being its chemical equivalent), the proportion being as 8 is to 21. Now 8 pounds of oxygen combine with 1 pound of hydrogen to form 9 pounds of water; that is,



water is composed of eight parts, by weight, of oxygen, and one part, by weight, of hydrogen. From this it will be seen that, in order to oxydize 21 pounds of iron we have to decompose 9 pounds of water, thus setting free 1 pound of hydrogen and 8 pounds of oxygen gas, the oxyde forming a very thin scale. From this it will be apparent that under the most favorable conditions in ordinary practice, not enough hydrogen could be set free to produce disastrous consequences, even if free oxygen were present.

I should, perhaps, say here, that the immediate result of an explosion of hydrogen, in quantity, in a boiler, would be to produce an increase of heat to an enormous extent, and with the increase of heat an enormous increase of *pressure*, from which, if the boiler were not immediately and effectually relieved, an explosion of it must inevitably occur.

It cannot be questioned that the ultimate cause of all boiler explosions is undue pressure, by whatever means produced ; and if persons who take an interest in this subject would bear that fact in mind, instead of wandering about in search of some mysterious agency by means of which to account for them, and would cudgel their brains to ascertain what conditions are most favorable to the production of *undue pressure*, and the best means of preventing the same, it is my opinion we would have fewer vague theories, and fewer accidents.

Notwithstanding the dicta which have been advanced to the contrary, I believe it to be easy to show that lowness of water in a boiler *does* furnish the conditions most favorable to boiler explosions.

Steam not in contact with water is affected by heat in precisely the same manner that all permanent gases are, *i. e.*, all permanent gases expand alike, (increase in volume), for equal increments of heat, but the elastic force of steam in contact with water increases in a much more rapid proportion, for the reason that the increase of heat increases both the quantity and density of the steam. By means of heat, then, the steam is expanded in volume, its elastic force is increased, and the greater the degree of heat, of course the greater must be the pressure of steam.

Now no one will deny, for it must be apparent, that the lower the water in the boiler is, the more direct is the ac-



tion of the heat of the furnace upon the steam in the boiler, and that with boiler plates red hot, as they sometimes become from lowness of water, there must exist within the boiler a very high degree of heat. For instance, it is safe to assume that  $400^{\circ}$ , F., is in the case of low water a very frequent temperature, and, indeed, much higher temperatures have often been noted. Now a temperature of  $500^{\circ}$ , F., would, according to Arago, Dulong, and Regnault, (names undoubtedly familiar to you), give a pressure of between 45 and 50 atmospheres, which, allowing 14.6 pounds to one atmosphere, gives from 657 to 730 pounds pressure to the square inch; and a temperature of  $400^{\circ}$ , F., would give a pressure equal to 234 pounds to the square inch, and it may be safe to assume that there are many boilers that could not begin to withstand even this pressure.

I shall not enlarge upon this point, for the figures and the facts, I opine, must carry conviction with them, and prove, at least, to the most skeptical, that to permit the water in a boiler to become low is not only a source of danger, but an extremely hazardous experiment, especially when the boiler is not supplied with a certain and very effective means of relieving it from the rapidly accumulating pressure.

In connection with this subject of low water, its condition, when the plates of the boiler are red hot, is a matter of considerable importance with reference to the safety of the boiler. It is generally believed that under these circumstances the water assumes a spheroidal form, a very reasonable conclusion, and undoubtedly the correct one. It has been recently given in evidence that the introduction of cold water into the boiler, with the water within the boiler in a spheroidal form, is not a source of danger. I fear that such a statement is calculated to do much mischief; unfortunately I am without information of the proof, or reasons, given to sustain this assertion—if, indeed, any were given. To my mind it is unsusceptible of proof upon any law of chemistry or physics. On the contrary, I believe it to be a prolific source of danger. That water *has* been pumped into a boiler without disastrous results I doubt not, nor do I doubt, on the other hand, that the escape of the persons

engaged in the work was due, either to the interposition of a kind Providence, or a remarkably strong boiler. When water assumes a spheroidal form, it is no longer in actual contact with the metal, but is sustained at a distance from it, most probably by radiant heat, or it may be by the very high tension of the vapor surrounding it, or both, producing, as it were, a repulsive action. In this state it must be apparent that the heat within the boiler must be intense. Now the effect of the introduction of cold water is to reduce the temperature, and as soon as it falls to  $300^{\circ}$ , F., this repulsive action, solely dependent, as it is, upon heat for its existence, is at once overcome, the water comes immediately into contact with the overheated iron, and is at once converted into steam at a very high temperature, possessing a force almost irresistible, and consequently highly dangerous. This is theory which has been proved to be true by actual experiment.

Nor is this the only dangerous result of pumping cold water into a boiler under these circumstances. Its effect upon the iron is to weaken it. The texture of the metal becomes changed, and is converted from a fibrous to a granulated state, thus rendering, by one instance of improper management, it may be, a good boiler, if not worthless, at least to a degree unsafe. To say, in view of these facts, that the introduction of cold water into a boiler red hot is not dangerous, is to invite ignorant men to make an experiment eminently dangerous, and to place in jeopardy the lives of innocent persons.

To discuss the subject of boiler explosions in all its phases, would be an almost interminable task. To do so would be, perhaps, both profitless and uninteresting, and I have only referred to the points above discussed in order to point out only a few of the more prominent of the erroneous notions that prevail even among intelligent men, and their possible effect; for whatever may be the cause or causes, they are all referable at last to undue pressure—*i. e.* a greater pressure than the boiler, whether made of defective material, unskillfully built, or weakened by the many causes which may tend to weaken it, can withstand.

In my judgment the most important step that should be taken, is to require, by municipal enactment, that all boilers within this jurisdiction be subject to a frequent and thorough inspection at the hands of reliable and competent men, appointed for that purpose.

The value of a well organized inspection service has been fully tested under the United States steamboat laws. Before these laws came into operation the loss of life from boiler explosions was hundreds per cent. more than it is now, and it is fair to infer that were those laws more rigidly enforced, a steamboat disaster from boiler explosion would be of extremely rare occurrence. In England, where we must confess laws are generally more rigidly enforced and more readily complied with than they are here, the effects of complete inspection laws have been salutary beyond all expectation. Of this abundant proof can be given.

I may be met in my advocacy of a system of inspection under municipal authority by the remark that, from boilers skilfully made of good material no danger from explosion need be apprehended. There is some force in the remark, but, it may be asked, what assurance have we on either point? Unfortunately none, and the only rational way of determining whether the boilers and their appurtenances are good in all that relates to the public safety is by means of governmental supervision.

In addition to a yearly inspection of the boilers by hydrostatic test, they should be examined at least every three months with particular reference to the attachments and instruments in use upon them. These should be of the most approved make, perfectly reliable, and always in good working order. The safety valve, which, properly constructed, is at once a faithful monitor of impending danger, and a certain relief from superabundant pressure, should be so made that it shall lift beyond the possibility of a doubt at the pressure at which it is set; moreover, it should be so arranged that it can at all times be kept free from accumulation of foreign matter.

Writing of safety valves recalls to my mind the fact that



there is perhaps no part of the furniture of a boiler more important and at the same time less cared for. Men rely upon the safety valve (and it is their only reliance) to relieve their boilers from undue pressure, yet too many give it little or no attention. In many cases it is well known that from one month's end to another this important instrument is allowed to remain neglected. Nor can it be said that there is much more care used in its construction. I have witnessed experiments with safety valves which in many instances have failed to raise at less than twenty pounds above the pressure at which they were set. (I here of course refer to those used on high pressure boilers.) Yet to my knowledge many of these instruments are to-day in use. I have heard of valves sticking so firmly to the valve seats as to require a powerful blow from a sledge hammer to raise them. I have no sort of doubt that with a safety valve of sufficient capacity and in good working order, the loss of many a life by boiler explosion might have been prevented. Pardon this digression, but I look upon this instrument, when perfectly made, as being a very certain and effective means for relieving a boiler from undue pressure.

The pipes and water connections—and, in fact, all parts and attachments—should, as I before intimated, be frequently examined, and if found defective, promptly remedied, under the direction of the officers of the law. The management of the steam, so far as the amount of working pressure is concerned, should be beyond the control of the owners of boilers, and be regulated by the officers, who should be held accountable therefor, and heavy penalties should be inflicted for violations of the law.

By the application of the best mechanical contrivances known, to prevent a rapid accumulation of pressure, a judicious enactment providing for the thorough inspection above suggested, and a rigid enforcement of the same, we would seldom hear of boiler explosions, and the public would be secured in life and property.

I am credibly informed that there are within the city limits not less than three thousand boilers, and that the



majority of these are situated in the most densely populated parts of the city. Hundreds of our citizens are therefore in proximity to them, without the slightest guaranty of immunity from danger. Indeed, it may with truth be said that they live in daily and hourly peril.

I believe your Honor will assent to this, that every person has a clear right to a public guarantee of safety, and is it not alike the duty and the best interest of our municipal legislators, well known as most of them are to be men of large and varied experience, and sound practical judgment, to give this guarantee by the enactment of a law such as that to which I have above briefly alluded? Do not a sound public policy, no less than motives of humanity, point to the necessity for, and eminent propriety of, passing such a law? Is it not, in short, incumbent upon them, for the weightiest reasons, to adopt measures of sufficient stringency to insure, by the best known means, the security of the lives and property of our citizens? They could be engaged in no work more popular, nor more beneficent; and while discharging a sacred trust they would be doing themselves great honor, by legislating for the greatest good of the greatest number.

I have the honor to be, sir,

Very respectfully,

Your obedient servant,

W. M. MEW.

Mr. Trippe moved that the communications be referred to a Joint Special Committee of three.

The motion was declared adopted, and the Chair named Messrs. Trippe, Randall and Weaver as the committee on the part of this Branch.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred a petition for the condemnation and closing of

a twenty-foot alley, lying between Thompson and Adams streets, respectfully report that they have given the matter due consideration, and herewith submit the following ordinance, and respectfully ask its passage :

S. SANDS MILLS,  
G. MORRIS BOND,  
JNO. W. TORSCH,

*First Branch.*

WM. H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

An ordinance to condemn and close a twenty-foot alley, lying between Thompson and Adams streets.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, authorized and required to close the twenty-foot alley lying between Thompson and Adams streets, and running from Carey street to Stockton alley.

SEC. 2. And be it enacted and ordained, That the Commissioners for Opening Streets shall proceed in all respects in closing said alley in accordance with the provisions of the ordinance entitled "An ordinance to provide for exercising certain powers vested in this corporation in relation to streets in the city of Baltimore," approved April 3, 1866; and the Collector and Register of the city shall also perform such duties in relation to streets as are required of them by the provisions of said ordinance.

On motion of Mr. Mills, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Health Commissioner be, and he is hereby, authorized and directed to have filled up that hollow space situated at the corner of Register and Eager streets, in such manner that the same shall be placed on a level with the street.

On motion of Mr. Weitzell, the resolution was referred to the Joint Standing Committee on Health.

Mr. Berry introduced the following ordinance, which was read :

An ordinance to declare the bed of York street, between William and Johnson streets, a public highway.

SECTION 1. Be it enacted by the Mayor and City Council of Baltimore, That the bed of York street, between William and Johnson streets, as laid down on Poppleton's plat of the city, be, and the same is hereby, condemned as a public highway, and shall be subject to all ordinances regulating streets, lanes and alleys in the city of Baltimore.

On motion of Mr. Berry, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have the old pump-stock removed from Camden street, in front of house No. 70, and to have the well properly secured; the expense of the same to be taken out of any money in the treasury otherwise unappropriated.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Ehlers offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized to have ventilators put on the Cross Street Market, the money to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Price, the resolution was referred to the Joint Standing Committee on Markets.

Mr. Trippe offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, empowered and directed to have a gas lamp placed at the southwest corner of Fayette street and Central avenue, the expense of the same to be paid for by any money in the treasury not otherwise appropriated.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Tuesday, March 21, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell, Mills and Kernan.

On a motion by Mr. Ehlers to adjourn, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. President, Berry, Freeberger, and Ehlers—4.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Ward, Bond, Price, Randall, Johnson, Weaver, and Crout—10.

The Branch refused to adjourn.

Mr. Bond presented a petition from George Kranz and others, in reference to the building of the Richmond Market, which was read and referred to the Joint Standing Committee on Markets.

Mr. Torsch presented a petition from H. B. Pentz & Son and others, to have flag-stones placed at the crossings from Pier No. 12 Light street wharf, which was read and referred to the Joint Standing Committee on Highways.

The President presented a petition from the Canton Company of Baltimore, and others, to have Harris' Creek tunneled, which was read and referred to the Joint Standing Committee on Highways.

Mr. Smyrk presented a petition from Chas. Schultz and others, for the opening of certain streets through the grounds of the Maryland Hospital, which was read and referred to the Joint Standing Committee on Highways.

Mr. Torsch, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Highways, to whom was referred the petition of H. D. G. Carroll, asking permission to erect on his property, on the south side of Baltimore street, between Light street and Grant street, a four-story bay window, or projection with balconies at the windows, respectfully report, that they have investigated the subject fully, and believe that the request of the petitioner should be granted, and therefore offer the following resolution, and respectfully ask its adoption.

S. SANDS MILLS,  
H. CROUT,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WILLIAM H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Mr. H. D. G. Carroll to erect on his property, on the south side of Baltimore street, between Light and Grant streets, a four-story bay window, or projection ten feet six inches front, with balconies at the windows, standing over and commencing on the portico entrance; provided said bay window shall not project more than fourteen inches beyond the building line of Baltimore street.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and on motion of Mr. Johnson, it was recommitted to the Joint Standing Committee on Highways.

Mr. Trippe, from the Committee of Conference on the disagreeing votes of the two Branches on Jones' Falls ordinance, submitted the following report and accompanying resolution, which were read:

The Committee of Conference appointed to consider the subject of the disagreeing votes of the two Branches of the City Council, upon the amendment adopted in the Second

Branch, to the second section of an ordinance entitled "An ordinance making further provision for the improvement of Jones' Falls, and repealing inconsistent provisions in existing ordinances," beg leave to report.

The Committee recommend the concurrence of the First Branch in the amendment alluded to, providing for the appointment of a Board of Commissioners who will consent to serve without pay, and briefly state the reasons which govern them in their action, as follows :

1st. Because, in view of the unquestionable excitement in the community upon the subject of the proposed expenditure of several millions of dollars upon a work, about the proper plan of which there is such diversity of opinion, the Committee deem it of the first importance that the duties of examining and reporting upon such plan, and all its details, and of suggesting changes, modifications, or fundamental alterations of the same, before proceeding to execute it, should be performed by none but men of more than ordinary intelligence, business capacity and experience, and who are known and recognized by citizens generally as men of the strictest integrity.

2d. Because, the Committee believe that the services of just such men as have all the requirements above stated can be obtained, if the positions are tendered them, and if they are properly appealed to, to give their assistance, and the benefit of their judgment and experience, without other reward than the honor of contributing so efficiently to the public welfare.

3d. Because, the Committee believe that if five Commissioners are to be appointed, with salaries attached to their offices, there is serious danger that political influences, and personal considerations, in spite of the most conscientious efforts of the members of the Council to prevent such a thing, might occasion the selection of a Board of Commissioners who would not supply the requisite ability, and who could not command the confidence of the community, however much they might really deserve it.

A. C. TRIPPE,  
H. CROUT,

*First Branch.*

CHAS. G. KERR,  
JOHN MILROY,

*Second Branch.*

Resolved by both Branches of the City Council, That the First Branch concur in the amendment of the Second Branch.

Mr. Price, from a minority of the Committee of Conference on the disagreeing votes of the two Branches on Jones' Falls ordinance, submitted the following report and accompanying ordinance, which were received through courtesy and read :

The minority of the Committee of Conference on the questions of difference between the two Branches of the City Council, respectfully report, That on Saturday the Committee met pursuant to appointment, and were unable to agree, either upon the causes of difference, or upon any measure of settlement.

1st. The Committee were not unanimous as to whether the only cause of difference arose upon the question of a paid or an unpaid Commission, or whether the entire subject matter of the second section of the supplementary ordinance, reported by the Joint Standing Committee on Jones' Falls, was before us for revision, modification, or suggestion.

2d. The Committee were at variance also upon the fourth section of the supplementary ordinance aforesaid, a portion of the Committee holding the opinion that they were bound by the spirit of the conference, and the motive which prompted the action of both Branches, to acquiesce in the appointment of a Committee to consider, not only that portion of the ordinance which was abruptly broken off at the filing of the blank, designating the salary the Commissioners should receive, if any, but they believed it was their privilege, and more than that, their duty, to inquire into and discuss all the causes of discord, and to harmonize conflicting opinions, (entertained honestly, no doubt), as far as possible; looking not only to the views of individual members of the Council, but at the same time to consider carefully the views of the people, to whom we must all be ultimately responsible, and who will expect of us a just and true account.



The minority were met in this view by the 12th Joint Rule, which defines the duties of Committees of Conference as follows—beginning about the middle of the Rule: “A Committee of Conference shall not have the power to change or omit any section of an ordinance, or portion of a resolution, that has been agreed on by both Branches, but only those constituting the disagreement.”

Anxious to comply with the spirit of that Rule, the minority propose to confine themselves strictly to the causes of the reference, at the same time they are of the opinion, that whilst a Committee of Conference are confined to the subject matter of difference, and to that only, yet it is their duty to throw aside all technicalities, and to arrive at the underlying causes which produced the difference in the views of the two Branches, believing if this could be done, and the remedy could be applied at once to the root, all dissension would cease. And if this were not so we respectfully insist, that it were simply a farce to appoint a committee, whose views were well known to every body, (each member thereof having expressed them openly in the Council Chambers), unless it were intended, and expected, that they should meet to harmonize not only the differences, but also to discuss their causes.

The minority therefore believe they are but performing their duty in giving their views upon the subject matter before them, and in doing so they wish to be understood as not in any manner to imply censure, or even criticism, upon the action of the majority, whom we believe to have been perfectly sincere in their views, and perhaps right. We only regret our inability to agree with them. As the majority will, no doubt, report their views, it only remains for us to report ours.

It does not require a very exhaustive reading of the ordinance for the improvement of Jones' Falls, approved January 31, 1870, to see the onerous and burdensome duties imposed upon the Commissioners for that work. We think it not out of place to mention some of them.

Section 7 gives them the general charge, superintendence, and control of the execution of the plan.

By section 8 they are to settle the terms of all contracts, and are directed carefully to superintend the performance, by the contractors, of the work undertaken by them.

By section 9 they are to make certain provisions in the contract, and the work to be approved of and accepted by the Commissioners.

By section 10 they are to sign orders upon the Comptroller, and to make quarterly reports, giving detailed accounts of their proceedings and expenditures.

Section 11 directs the Commissioners to advertise for proposals, and generally to award the contracts for the entire work, either by sections or otherwise.

Sections 16, 17, 18 and 19 describe the nature and character of the work proper, in detail.

Section 20 authorizes the Commissioners to make changes in the grade of the streets.

Section 21 requires them to direct and control the plats and surveys of the surveyor, &c.

The minority believe that if the duties of the Commissioners stopped here, they would be sufficient to require a great deal of their time, if attended to properly. But when we examine the remaining sections of the ordinance, consisting of eight pages, closely printed, nearly every section of which declares some new duty, and defines and authorizes additional labor on the Commissioners, we are at a loss to discover how these duties can be performed, unless the Commissioners shall make the improvement an object of primary importance, to the exclusion of any other business.

In order that the Council may understand our view, we will respectfully proceed to enumerate some of the most important of these duties, under the provisions of the ordinance.

To ascertain the amount of damage caused to the owner of *any right or interest*, in any ground or improvement in

the city, either by the location of the Falls, or by the opening and laying out of the avenues, or by the construction of sewers, and raising the grades of streets ; and shall also take into consideration the benefits which may accrue to the owners of the property.

To superintend the plats and maps of all property taken or damaged, which maps shall contain the name of the owner, and of every person claiming *any estate or interest* in the lot, and the amount of damage to *which, in the judgment of the Commissioners, the owner of each and every estate therein is entitled to receive.*

To meet in their office to review their ascertainments of damages, to hear and examine witnesses, on oath or affirmation, verbal or in writing, in relation to any matter in the said statements, which shall be offered to them, on behalf of any person claiming to be interested therein.

To adjourn from day to day, for not exceeding fifteen days, and after closing the review, to make corrections in the statements.

They are further required to attend court, and be examined on oath, in cases of appeal.

To estimate amount of land damage.

To be governed and controlled in their action by the ordinances of the city, in relation to the construction of the sewers, and the opening of the streets.

But the most laborious part of their duties is that prescribed by the 28th section, which provides for the assessment of benefits ; and when we consider the amount of benefits to be assessed, over the entire flooded district, closely built up ; the variety of interest in the property—fee simple, life estate, leasehold or dower—which the Commissioners, under the ordinance, must investigate, then to sit in review of their ascertainments (in this case not for fifteen days, as required in their review for the assessment of damages), until their work is accomplished, we can appreciate

the magnitude of their labor, and the necessity for creating a commission as strong as possible in its nature, and from which we should be careful, in framing its structure, to eradicate, as far as we can, every element of weakness. Can the accomplishment of this purpose be effected better by a paid or by an unpaid commission.

We are clearly of the opinion that a paid commission would be more efficient, and without entering into an argument in detail, we will proceed to give shortly a few reasons therefor :

1. Because good and efficient men, engaged in private business, could not be expected to make the improvement the subject of primary importance; they would naturally look to their private business first, unless they were properly paid.

2. The public would have to be satisfied with such time as they could give, and neither they nor the Council can demand more of their time than they can afford to spare.

We have been reminded of the Water Board, Fire Commission, and other admirably conducted boards in the city, whose efficiency no one can doubt, as exemplifying the practical working of an unpaid commission; but we respectfully submit there can be no analogy between the duties of these boards, and the vast labor imposed upon the commission for the improvement of Jones' Falls.

But it has been repeatedly suggested that a good commission might be selected, and they be relieved of a portion of their duties by the appointment of a sub-commission of paid assessors. This we think would be multiplying troubles, augmenting the sources of discord, by removing the paid members of such a commission one step further from direct responsibility. Better pay the Commissioners at once, and hold them strictly accountable.

Nor can we see any force in the argument, "Let us try it and see how it will work." Our answer is, an ounce of prevention is worth a pound of cure. Now that we have pointed out the evil, let us suggest the remedy.



Select three or five good, intelligent, business men ; pay them properly for their services ; demand their time and attention to the work ; if they do not comply, remove them, and place others there who will. We submit, there is nothing startling in this proposition, and we believe it will commend itself to all thinking men.

There was still another cause of difference, directly affecting the payment or non-payment of the Commissioners, and that cause arose upon the appointment of five, instead of three Commissioners. There were numbers of gentlemen in the Council who believed that a paid Commission was the proper one, to produce efficiency and energy, and would vote for the payment of three men, and against the payment of five. Without intending to answer this, we simply say, we believe three Commissioners to be amply sufficient ; the only reason for the appointment of five being a greater facility for securing a working quorum.

We will now proceed to mention, as briefly as possible, the third and last cause of trouble ; and this one, we believe, is of vastly more importance than either of the two preceding.

It is contained in the 4th section of the supplementary ordinance, as follows—commencing at line 16 : \* \* “ It shall be the duty of said Board of Commissioners to report to the Council the result of their said examination, and to suggest any modification, alteration, or improvement of said plan, or its details, if any there be, which they may deem it expedient or advisable for the City Council to adopt, in order more surely to accomplish,” &c. \* \*

The Council, and not only they, but the community, are anxious to know whether this clause imparts the power to the Commissions to consider new plans, or whether they must not confine themselves to the suggestion of modification, alteration, and improvement of the plan already adopted.

Without attempting to criticise the present plan, we are of the opinion that the public demand some further discussion upon it, and we are equally of the opinion that the

4th section of the ordinance does not, nor was it intended to give the Commissioners any power whatever to consider any other plan than the one now before them.

The minority, therefore, believing that the Council are only actuated by a desire to accomplish the improvement to the best advantage of the citizens and taxpayers, and believing it was the duty of the committee of conference to harmonize, by looking to the causes of the difference, only claim that they be credited with sincerity in their views; they may be in error, but their opinions are formed upon reflection, and based upon what they believe to be the interests of the community.

They beg leave to report the following ordinance, and recommend its adoption.

BENJ. PRICE,

*First Branch.*

J. I. GROSS,

*Second Branch.*

An ordinance making further provision for the improvement of Jones' Falls, and repealing inconsistent provisions in the existing ordinance.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Council, in joint convention assembled, shall appoint                   discreet persons—citizens of Baltimore—who shall be, and are hereby, constituted and styled the Board of Commissioners for the Improvement of Jones' Falls.

SEC. 2. And be it further enacted and ordained, That said Board of Commissioners shall always consist of           persons, who shall each receive an annual salary of twenty-five hundred dollars; and a majority of said board shall constitute a quorum for the transaction of business. Whenever a vacancy shall occur in said board by reason of death or resignation, the same shall be filled by the remaining members of the board, subject to confirmation by the City Council, and it shall be the duty of the board to report the fact of such vacancy and of their having filled the same to the

Council at its meeting next thereafter. And the Board of Commissioners, or either of them, may at any time be removed from office by a vote of the City Council in convention assembled.

SEC. 3. And be it further enacted and ordained, That the said Board of Commissioners shall have power, and it shall be their duty, to appoint a competent and experienced engineer, who may be removed by them in their discretion, and who shall, in all respects, act under the supervision, direction and control of said Board of Commissioners, and perform such duties as are or may be prescribed by ordinance, or by the said Board of Commissioners. And the said engineer shall receive such annual salary as the Commissioners may determine upon, provided the same shall not exceed the sum of five thousand dollars.

SEC. 4. And be it further enacted and ordained, That it shall be the duty of said Board of Commissioners, immediately upon their organization and the appointment of their engineer, to examine carefully, with the professional assistance and advice of their engineer, all the features of the plan for the improvement of Jones' Falls, as embodied in the ordinance adopting the same, approved January 31, 1870, and also the detail drawings, designs, plats and specifications of said plan as prepared and filed by the author thereof under the requirements of a supplementary ordinance, approved November 19, 1870; and shall also examine all plans which may be submitted to them, within a period of twenty days from the time at which the engineer appointed by them shall have accepted the position and entered upon the performance of his duties, by engineers or other persons, which they and their engineer shall deem worthy of consideration. And before the commencement of any work, or awarding of any contract, for the execution of any plan or plans, it shall be the duty of the said Board of Commissioners to report to the Council the result of their examination, and to suggest any views upon any of the plans submitted to and examined by them, together with any modification, alteration or improvement therein, or in the details thereof—if any there be—which they may deem expedient or advisable for the City Council to adopt, in order more surely to accomplish the objects of the im-



provement of Jones' Falls, or the better to secure the interests of the city and its taxpayers; provided that the full and entire time within which the said Board of Commissioners shall make their examinations and report shall not exceed a period of forty days from the time at which the engineer shall have entered upon the performance of his duties hereunder—unless said board shall ask, and the Council grant, such further time as may be necessary.

SEC. 5. And be it further enacted and ordained, That the Board of Commissioners, before commencing any work, or awarding any contract therefor, shall, by and with the advice of their engineer, lay out and delineate upon a plat, and report to the City Council, the lines of the improvement of Jones' Falls, between Madison and Eager streets; and said lines, when adopted by the Mayor and City Council of Baltimore, shall be the lines of Jones' Falls, known and recognized under the provisions for the improvement thereof, provided the plan reported by the board and adopted by the Council shall be the same in nature or spirit with the plan already adopted.

SEC. 6. And be it further enacted and ordained, That the Commissioners appointed under this ordinance be, and they are hereby, invested with all the powers granted, and bound by all the obligations imposed, under the ordinance herein above referred to, approved Nov. 19, 1870, and which may not be repealed by this ordinance.

SEC. 7. And be it further enacted and ordained, That the provisions of all ordinances, or parts of ordinances, inconsistent with this ordinance be, and the same are hereby, repealed.

SEC. 8. And be it further enacted and ordained, That this ordinance shall take effect from and after the date of its passage.

On a motion of Mr. Price, that the report and resolution of the committee be laid on the table and made the order of the day for to-morrow afternoon, at 5½ o'clock, Mr. Johnson demanded the yeas and nays, resulting as follows:



*Yeas*—Messrs. Hudgins, Bruce, Smyrk, Torsch, Price, Randall, Berry, Freeberger, and Johnson—9.

*Nays*—Messrs. President, Trippe, Ward, Bond, Sommerlock, Ehlers, Weaver, and Crout—8.

The report and resolution were declared laid on the table and made the special order of the day for to-morrow afternoon, at 5½ o'clock.

The following message was received from the Second Branch and read.

IN SECOND BRANCH,  
Baltimore, March 21, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have appointed on the joint special committee on the communication of W. M. Mew, in relation to steam boiler explosions, on behalf of this Branch—Messrs. Constantine, Duke and Ogle.

By order,

GEO. T. BEALL, Jr., *Clerk.*

Mr. Trippe introduced the following ordinance, which was read :

An ordinance to preserve the public health and regulate laundries.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That it shall not be lawful to erect or use any house or building as a laundry, or to remove a laundry from any house or building now used as such within the limits of the city without the consent of the Mayor and City Council, under the penalty of two hundred dollars, and a further sum of fifty dollars for each and every month thereafter until the same be removed out of the city limits, or back to its original building, or pulled down, as the case may be.

SEC. 2. Be it further enacted and ordained, That all applications for permission to erect or remove laundries shall

be published three times a week in two of the daily papers in the city, for two weeks previous to making such application to the Council, the expenses of such application to be paid by the parties applying.

SEC. 3. Be it further enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Trippe, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

On motion of Mr. Crout, the Branch adjourned until tomorrow afternoon, at five o'clock.

By order,

W. H. COLE, *Clerk.*

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Wednesday, March 22, 1871.

The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Kernan and Johnson.

Mr. Trippe presented a petition from the Union Orphan Asylum, for an appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Freeberger presented a petition from Geo. H. Allen & Co., to lay a pipe on Hamburg street to a sewer to drain cellars, which was read and referred to the Joint Standing Committee on Highways.

Mr. Crout presented a petition from Henry Knell, President, and others, for permission to extend the tower of Grace Church over the building line, which was read and referred to the Joint Standing Committee on Highways.

Mr. Smyrk presented a petition from Geo. Schwinn and others, in reference to the Johns Hopkins Hospital, which was read and referred to the Joint Standing Committee on Highways.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the report and accompanying resolution from the Conference Committee on the improvement of Jones' Falls, the President accordingly announced the special order of the day, which was read.

On a motion by Mr. Price, that the whole subject be re-committed to the Joint Special Committee on the subject of the improvement of Jones' Falls, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas*—Messrs. Hudgins, Bruce, Smyrk, Price, Berry, and Freeberger—6.

*Nays*—Messrs. President, Weitzell, Trippe, Mills, Ward, Torsch, Bond, Sommerlock, Randall, Ehlers, Weaver, and Crout—12.

The Branch refused to recommit.

The question recurring on the adoption of the report and resolution offered by the majority committee on the subject of the improvement of Jones' Falls, the yeas and nays were demanded by Mr. Price, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Trippe, Mills, Ward, Torsch, Bond, Sommerlock, Randall, Ehlers, Weaver, and Crout—12.

*Nays*—Messrs. Hudgins, Bruce, Smyrk, Price, Berry, and Freeberger—6.

The Branch declared the report and resolution adopted.

Mr. Sommerlock moved to concur in the second amendment offered by the Second Branch to the original bill, viz: that the Engineer "devote his whole time to the consideration of the improvement," on which—

Mr. Trippe offered as a substitute to the motion, that a message be sent to the Second Branch requesting that body to recede from its amendment.

The question being on the substitute offered by Mr. Trippe, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Trippe, Mills, Ward, Torsch, Bond, Berry, Ehlers, and Crout—10.

*Nays*—Messrs. Hudgins, Bruce, Smyrk, Price, Sommerlock, Randall, Freeberger, and Weaver—8.

The substitute was declared adopted, and the message ordered to be sent.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was re-committed the petition of H. D. G. Carroll, asking permission to erect on his property, on the south side of Baltimore street, between Light street and Grant street, a four-story projection with balconies at the windows, respectfully report, that they have investigated the subject more fully, and believe that the request of the petitioner should be granted, and therefore offer the following resolution, and respectfully ask its adoption.

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Mr. H. D. G. Carroll to erect on his property, on the south side of Baltimore street, between Light and Grant streets, a four-story projection ten feet six inches front, with balconies at the windows, standing over and commencing



on the portico entrance; provided said projection shall not extend more than fourteen inches beyond the building line of Baltimore street.

On motion of Mr. Smyrk, the resolution was read a second time, by special order.

Mr. Trippe offered the following amendment, to come in at the end of the resolution :

Provided said projection be supported on pillars.

The question being on the amendment, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Mills, Ward, Torsch, Bond, Freeberger and Ehlers—11.

*Nays*—Messrs. Bruce, Price, Sommerlock, Randall, Berry and Weaver—6.

The amendment was declared adopted.

The question recurring on the resolution, the yeas and nays were demanded by Mr. Weaver, resulting as follows :

*Yeas*—Messrs. President, Trippe, Bruce, Smyrk, Mills, Torsch, Bond, Berry, Freeberger, and Ehlers—10.

*Nays*—Messrs. Weitzell, Hudgins, Ward, Price, Sommerlock, Randall, and Weaver—7.

The resolution was declared adopted.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Keeper of the Broadway Market be, and he is hereby, directed to have that Market whitewashed and repaired, and that the sum of two hundred dollars be, and

the same is hereby, appropriated for that purpose, to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Weitzell, the resolution was referred to the Joint Standing Committee on Markets.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have cast iron plates placed across the gutters at the intersection of Cathedral and Centre streets, the expense of the same to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have Franklin street, west from Payson street to the city limits, shelled with oyster shells, and that the sum of two hundred dollars, (\$200.00), or so much thereof as may be required, be, and the same is hereby, appropriated to pay the same; the amount to be taken out of the appropriation for "Highways" for eighteen hundred and seventy-one, (1871).

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

Mr. Weaver offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to

have removed, the old pump stock at the intersection of Frederick avenue and Baltimore street, and to have the well properly covered, the expense of the same to be taken out of the annual appropriation for pumps for 1871.

On motion of Mr. Weaver, the resolution was read a second time, by special order, and adopted.

The Second Branch returned the following resolutions, severally endorsed "adopted:"

Resolution in favor of Sarah McCullough.

Resolution in favor of the Hibernian Society.

Resolution in favor of Lawrason & Smith.

Resolution in matter of the petition of Henry Otto.

Resolution referring the claim of Mary Meredith to the City Collector.

Resolution to remove the old pump stock in front of No. 70 Camden street.

Resolution in favor of James Fahey.

Resolution in favor of George Cuttle.

Resolution in the matter of the petition of W. H. Leonard.

The Second Branch returned the following ordinances, respectively endorsed "passed:"

An ordinance to condemn and close a twenty-foot alley, lying between Thompson and Adams streets.

An ordinance in relation to fines and penalties imposed under ordinances of the Mayor and City Council of Baltimore.

The Second Branch returned the ordinance for the relief of the firemen disabled while in the discharge of their duty, with the following amendment, which was read:

In section 2, line 6, (of printed bill), after the word "family," add the words "father and mother depending on," and in same section, line 8, after the word "children," add the same words.

Mr. Crout moved to concur in the amendment, on which Mr. Trippe moved as a substitute to non-concur.

The question being on the non-concurrence, the Branch refused to non-concur.

The question recurring on the concurrence, the Branch concurred in the amendment.

Mr. Trippe offered the following resolution, which was read :

Resolved by the First Branch of the City Council of Baltimore, That the Clerk of this Branch be, and he is hereby, authorized to have racks erected in the hall for the deposit of the books of members, and the sum of one hundred and fifty dollars be appropriated therefor ; the said sum to be provided for in the diary of expenses of the City Council.

The resolution was declared lost.

On motion of Mr. Crout, the Branch adjourned until tomorrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Thursday, March 23, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Kernan and Johnson.

Mr. Freeberger presented a petition from Lewis Barringer and others, for the ventilation of Cross Street Market-house, which was read and referred to the Joint Standing Committee on Markets.

The President presented an invitation from George H. Pagels, President of the Trustees of the Poor, to visit Bay-view Asylum, on Tuesday next, March 28, leaving front of Council Rooms, at 11 o'clock A. M., which was read, and on motion of Mr. Sommerlock, accepted.

Mr. Ward offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have cast-iron plates placed across the gutters at the intersection of Calvert and Bath streets, the expense of the same to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, authorized and directed to have the old oil lamp removed from the north side of Centre street, between Charles and Cathedral streets, and a gas lamp substituted therefor, the expense of the same to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Bond, the resolution was read a second time, by special order and adopted.

Mr. Bond offered a message to the Second Branch, that when the Council adjourn, it stand adjourned until Monday afternoon next, at 5 o'clock.

The message was ordered to be sent.

Mr. Trippe offered the following resolution, which was read :

Resolved by the First Branch of the City Council of Baltimore, That the Joint Standing Committee on Ways and Means be instructed to inquire whether there be any ordinance providing for the compensation of members of the Council, and if not, to report an ordinance for that purpose.

The Chair ruled the resolution out of order under the 13th section of the Joint Standing Rules of the Council, and put the question to the Branch, under the rules, whether or not the resolution should be entertained.

The question being on the consideration of the resolution, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Price, Randall, Berry, Freeberger, Ehlers, Weaver, and Crout—16.

*Nays*—Messrs. President and Sommerlock—2.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, March 23, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, at 5 o'clock.

By order,

GEO. T. BEALL, JR., *Clerk.*

The following resolution was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, March 22, 1871.

*Gentlemen of the First Branch:*

We respectfully inform you that we have, in compliance with your request, receded from our amendment to the 3d section of the ordinance for the improvement of Jones' Falls.

By order,

GEO. T. BEALL, JR., *Clerk.*

The Second Branch returned the majority report and resolution from the Committee of Conference on the subject of the improvement of Jones' Falls, endorsed "adopted."

The Second Branch returned the ordinance on the subject of the improvement of Jones' Falls, endorsed "amendment reconsidered and receded from."

Mr. Crout offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller have gas mains laid on Mosher street, from Pennsylvania avenue to Division street.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

The Second Branch returned the resolution in reference to placing a lamp on the southwest corner of Fayette street and Central avenue, endorsed "rejected."

On motion of Mr. Trippe, a committee of conference was asked for, and the Chair named on the part of this Branch, Messrs. Trippe, Price and Crout.

On motion of Mr. Crout, the Branch adjourned until Monday afternoon next, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Monday, March 27, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Weitzell presented a remonstrance from Jacob Papler and others, against the extension of a space to the north of Broadway Market, which was read and referred to the Joint Standing Committee on Markets.

Mr. Smyrk presented a petition from E. F. Namuth and others, to curb and place an iron railing around space on North Broadway, between Jefferson and McElderry streets, which was read and referred to the Joint Standing Committee on Parks.

Mr. Torsch presented a petition from B. H. Latrobe and others, of the Maryland Academy of Art, for the erection of a frame building for works of art, which was read and referred to the Joint Standing Committee on the Fire Department.

Mr. Price presented a memorial from the Gas Light Company of Baltimore, in reference to a contract with the city government to furnish lamps with gas, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Crout presented a petition from John H. Weaver, asking to be paid a claim for the burial of Wells and McComas, which was read and referred to the Joint Standing Committee on Claims.

Mr. Ward offered the following resolution, which was read :



Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to S. H. & J. F. Adams to sink a well in front of their premises, on the east side of Charles street, between Fayette street and Bank Lane, the said work to be done under the supervision of the City Commissioner.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

Mr. Ehlers introduced the following ordinance, which was read:

An ordinance to provide for the paving of West street and Durst alley.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have paved, as provided for in the ordinances of the city, all that part of the bed of West street lying between William and Johnston streets, and all that part of the bed of Durst alley lying between West and Cross streets.

SEC. 2. And be it enacted and ordained, That the cost of paving said street and alley, as aforesaid, shall be assessed on the property binding thereon respectively, as provided in the laws and ordinances authorizing the paving of streets in the City of Baltimore, and the City Commissioner, the Register, and the Collector are hereby authorized and directed to do all acts and things necessary and proper to carry into effect the provisions of this ordinance.

SEC. 3. And be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order.

Mr. Johnson moved that the ordinance be referred to the Joint Standing Committee on Highways.

The motion was declared lost.

The question being on the passage of the ordinance, the title was approved and the ordinance declared passed.

Mr. Bond offered a message to the Second Branch, proposing that on Wednesday next, at 5½ o'clock, the two Branches go into convention for the election of Commissioners for the Improvement of Jones' Falls.

The message was ordered to be sent.

Col. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a communication from his Honor the Mayor.

The President presented the following message from his Honor the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, March 27, 1871.

*To the Honorable President and Members*

*Of the First Branch of the City Council:*

GENTLEMEN—

I have the honor to inform you that the following named ordinances, and resolutions, which originated in your Branch, have been duly signed by me, and placed on file in the office of the City Register, according to law :

An ordinance to provide for the appointment of a Clerk to the Mayor, and prescribing his duties, and to prescribe the duties of the Janitor of the City Hall ; approved February 27, 1871.

An ordinance to fix and establish the salaries of the City Comptroller's department ; approved February 28, 1871.

An ordinance to fix the salary of the Judges of the Appeal Tax Court ; approved February 28, 1871.

An ordinance to increase the pay of the Superintendents of streets ; approved February 28, 1871.

An ordinance supplementary to an ordinance, fixing the salaries of the Clerks of the several markets, Baltimore

City Code, Article 32, section 68 ; approved February 28, 1871.

An ordinance fixing the salary of the Clerk to the City Commissioner ; approved February 28, 1871.

An ordinance to fix the pay of the day and night watchmen of the City Hall ; approved February 28, 1871.

An ordinance to determine the salaries of the Superintendents of Lamps ; approved February 28, 1871.

An ordinance to regulate the use of sliding boards ; approved March 2, 1871.

An ordinance to secure economy in the expenses of the City Council ; approved March 16, 1871.

An ordinance to increase the pay of the lamplighters ; approved March 16, 1871.

An ordinance to condemn and open McEldery street, from Broadway to Register street ; approved March 16, 1871.

An ordinance entitled “ An ordinance to permit Ernest Neurath to case up the wall of his property, on the corner of Fayette and Park streets, and also to extend his building line four and one half inches on Park street ” ; approved March 16, 1871.

An ordinance entitled “ An ordinance to change the name of Gist street to Patterson Park avenue ” ; approved March 16, 1871.

An ordinance entitled “ An ordinance to repeal ordinance No. 58, of 1869, entitled an ordinance ‘ to straighten Lanvale street, by condemning the projecting point which occurs at the intersection of Lanvale street with Friend street ’ ” ; approved March 16, 1871.

An ordinance to determine the salary of the Janitor of the City Hall ; approved March 16, 1871.

An ordinance to authorize the appointment of an additional lamplighter ; approved March 23, 1871.

An ordinance to condemn and open Dolphin street, from Pennsylvania avenue to Chatsworth street ; approved March 23, 1871.

An ordinance for the condemnation of Eutaw street, formerly Gibson street, between Mount Hope lane and North avenue, and Presstman street, between Madison and Linden avenues, as laid down on Poppleton's plat ; approved March 23, 1871.

An ordinance in relation to fines and penalties imposed under ordinances of the Mayor and City Council of Baltimore ; approved March 24, 1871.

An ordinance for the relief of the members of the Fire Department of the City of Baltimore, who may be disabled in the discharge of their duties, and to provide for their families in case of death occurring in the service ; approved March 24, 1871.

An ordinance making further provisions for the improvement of Jones' Falls, and repealing inconsistent provisions in existing ordinances ; approved March 27, 1871.

Resolution in favor of Michael Dwyer ; approved February 9, 1871.

Resolution in favor of Mrs. Virginia Sevier ; approved February 10, 1871.

Resolution to appoint an additional lamplighter in the Western district ; approved February 10, 1871.

Resolution in favor of John Sherer ; approved February 10, 1871.

Resolution to lay iron plates over the gutters on Light street, opposite Williamson street ; approved February 10, 1871.

Resolution to lay gas mains on North Ann street, between Jefferson and Orleans streets ; approved February 10, 1871.

Resolution for the removal of pump stock on Greenmount avenue, between Madison and Monument streets ; approved February 10, 1871.



Resolution appropriating fifteen hundred dollars to complete the equipment of Cross street Hall; approved February 10, 1871.

Resolution to place iron plates over the water way at the intersection of Calvert and Centre streets, and Calvert and Monument streets; approved February 10, 1871.

Resolution for the removal of pump stock at the corner of Fell and Thames streets; approved February 10, 1871.

Resolution in favor of the Irish exiles; approved February 23, 1871.

Resolution to place a gas lamp on the north-west corner of Charles street and North avenue; approved March 2, 1871.

Resolution to lay gas mains on Sharp street, and on Cowpen alley; approved March 2, 1871.

Resolution for the removal of two old pump stocks; approved March 2, 1871.

Resolution authorizing the Health Commissioner to clean the crossings and gutters on the principle thoroughfares of the city; approved March 2, 1871.

Resolution authorizing the Building Committee of the new City Hall to pay E. Mills & Son certain money; approved March 2, 1871.

Resolution authorizing A. Rice to extend his livery and hiring stable on Alice Ann street; approved March 2, 1871.

Resolution to have old pump stock removed from Sharp and Barre streets; approved March 4, 1871.

Resolution appropriating seventeen thousand dollars for the erection of a building, for the use of Male and Female Grammar School No. 17; approved March 16, 1871.

Resolution permitting Thomas Voyce to erect a brick kiln; approved March 16, 1861.

Resolution to remove old pump stock from Mulberry street ; approved March 16, 1871.

Resolution granting permission to the West Baltimore Target Rifle Association to erect a target for rifle practice ; approved March 16, 1871.

Resolution to pay John B. Emory certain money ; approved March 23, 1871.

Resolution for a gas main on Republican street, between Saratoga and Franklin streets ; approved March 23, 1871.

Resolution appropriating fifteen hundred dollars for transcribing the dockets of the Circuit Court of Baltimore City, or indexing the same, and re-binding the originals ; approved March 23, 1871.

Resolution permitting Christian Muhly to sink a well ; approved March 23, 1871.

Resolution for a gas main on Edwards street, between Aisquith street and Central avenue ; approved March 23, 1871.

Resolution for the repair of pump on the north-west corner of Sharp and Camden streets ; approved March 23, 1871.

Very respectfully,

ROBERT T. BANKS, *Mayor*.

The Second Branch returned the following resolutions, severally endorsed "adopted :"

Resolution to remove an old pump-stock at the intersection of Frederick avenue and Baltimore street.

Resolution to have Franklin street, west from Payson street to the city limits, shelled with oyster shells.

Resolution of Committee of Conference on disagreeing votes on Jones' Falls ordinance.

A report from the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Mr. H. D. G. Carroll to erect on his property, on the south side of Baltimore street, between Light and Grant streets, a four-story projection ten feet six inches front, with balconies at the windows, standing over and commencing on the portico entrance; provided said projection shall not extend more than fourteen inches beyond the building line of Baltimore street.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, requested and directed to have hammered flag-stones, four feet wide, placed across Light street, from a line drawn across Light street from the middle of the side-walk on the north side of Camden street; the expense thereof to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

The following resolutions were received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the President of the School Board, the Chairman of the Committee on Baltimore City College, and the City Commissioner be, and they are hereby authorized to provide plans and make arrangements for the immediate purchase or lease of a suitable lot, and for the erection thereon of a new building for the use of Baltimore City College; and that the sum of sixty thousand dollars be, and the same is hereby, appropriated for that purpose, to be taken out of the levy for 1871.

Resolved, That whenever in the judgment of the School Board it may become desirable, the building now occupied

by the Baltimore City College, shall be sold by the Comptroller, and the proceeds thereof, or so much as may be needed for the purpose, shall be applied to the completion and furnishing of the new college building.

Resolved, That before any lot shall be purchased or leased for the site of Baltimore City College, the site of the same shall be approved by the Mayor and the Presidents of the two Branches of the City Council.

On a motion for the suspension of the rules to give the resolutions a second reading, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Kernan, Ward, Freeberger, and Johnson—8.

*Nays*—Messrs. Trippe, Smyrk, Mills, Torsch, Bond, Price, Sommerlock, Randall, Berry, Ehlers, Weaver, and Crout—12.

The Branch refused to suspend the rules.

Mr. Trippe introduced the following ordinance, which was read :

An ordinance to determine the beginning of the fiscal year.

Whereas, by the existing law, the officers of the corporation are required to make annual reports and returns to the Mayor and City Council of Baltimore, in the first week of the annual session ; and whereas, the fiscal year of the corporation at present ends on the thirty-first day of December, and the Council is required to meet on the third Monday of January in every year ; and whereas, more time is now necessary, owing to the increased business of the corporation, for the Mayor and other officers to prepare their reports and returns, so that the Council may have all the reports and returns before it at the commencement of the session fully prepared and arranged ; now, therefore,

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passage



of this ordinance, the fiscal year of the corporation shall begin on the first of November and end on the thirty-first day of October in every year.

SEC. 2. And be it enacted, That the Register of the city and all other officers of the corporation shall make to the Mayor and City Council their annual reports and returns of all matter, as required by law, connected with their respective offices, as soon after the said thirty-first day of October as practicable.

SEC. 3. And be it enacted, That all ordinances, or parts of ordinances, contrary to the provisions of this ordinance, be, and the same are hereby, repealed.

On motion of Mr. Trippe, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be directed to repair the pump in front of No. 150 Orleans street, the expense of same to be taken out of appropriation for pumps for 1871.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be authorized and directed to have the grade so changed at the southwest corner of Republican and Saratoga streets, as to avoid the water and filth which accumulates at said corner.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and on motion of Mr. Bruce, referred to the Joint Standing Committee on Highways.

A report from the Joint Special Committee to visit Washington in relation to the Craighill channel, with the following resolution, was received from the Second Branch and read:

Resolved that the Committee be discharged from the further consideration of the subject, and that this report be referred to the Joint Standing Committee on the Harbor.

On motion of Mr. Johnson, the resolution was read a second time, by special order.

The question being on the resolution, Mr. Price moved the report and resolution be recommitted to the Joint Special Committee, with instructions that they proceed at once to Washington.

Mr. Bond asked to be excused from serving on the committee.

He was excused, and the Chair appointed Mr. Price on said committee.

The President presented an invitation from D. A. Hollingshead, President of the Western Female High School, to make the annual visit on Friday next, March 31, at 3 o'clock P. M.

On motion of Mr. Crout, the invitation was accepted.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, March 27, 1871.

*Gentlemen of the First Branch:*

We respectfully inform you that we have concurred in your proposition to appoint a Joint Special Committee of Conference on the disagreeing votes of the two Branches, on the placing of a gas lamp on the southwest corner of Fayette street and Central avenue, and name on the part of this Branch—Messrs. Vickery, McCoy and Ogle.

By order,

GEO. T. BEALL, Jr., *Clerk.*

The following message was received from the Second Branch and read.

IN SECOND BRANCH,  
Baltimore, March 27, 1871.

*Gentlemen of the First Branch:*

We respectfully inform you that we have non-concurred in your proposition, that the two Branches of the Council go into convention on Wednesday evening next, for the selection of Commissioners for the Improvement of Jones' Falls, and respectfully propose, with your concurrence, that the two Branches go into convention for that purpose on to-morrow, Tuesday evening, at 6 o'clock, P. M.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

On motion of Mr. Bond, the Branch concurred.

On motion of Mr. Kernan, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Tuesday, March 28, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Kernan presented a petition from Michael Moriarity and others, to open and condemn Valley street, between Eager and John streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Smyrk presented a petition from Geo. R. Mann and others against the erection of the Johns Hopkins' Hospital, which was read and referred to the Joint Standing Committee on Highways.

Mr. Weitzell offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Health Commissioner be requested to inform this Branch why he has failed to reply to a resolution of inquiry addressed to him during the last session of the Council, in relation to the estimated cost of cleaning Harford Run. The resolution is to be found on page 843 of the First Branch Journal of last session.

Mr. Kernan introduced the following ordinance, which was read :

An ordinance to authorize the appointment of an additional Lamplighter.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, that the City Code be so amended as to authorize the Mayor to appoint an additional lamplighter for the Middle District of Baltimore City.

SEC. 2. And be it further enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Kernan, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Price offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and instructed to place a new roof on the north side of the Hanover Market House, and also upon the south side of the Lexington Market House, between Paca and Green streets, and that the sum of nine hundred and five dollars and sixty cents, (\$905.60), be appropriated for the Lexington, and the sum of six hundred and thirty-eight dollars and thirty-nine cents, (\$638.39), for the Hanover Market



House, the said amounts to be paid by the receipts of the aforesaid market houses respectively.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

Mr. Ehlers offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Superintendent of the Police and Fire Alarm Telegraph be, and he is hereby, authorized and directed to have a fire alarm box placed at once at the corner of Johnston street and Fort avenue, the expense thereof to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Messrs. Weisnauer and Neimger, asking to construct a sewer on Pratt street, running from the south-east corner of Penn street westwardly to Fremont street, have examined the premises, and beg leave to offer the following resolution.

S. SANDS MILLS,  
G. MORRIS BOND,  
JNO. W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WILLIAM H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the privilege is hereby granted to the Messrs. Weisnaucer and Neimger to construct a sewer on Pratt street, beginning at the south-east corner of Penn street, running westwardly to Fremont street, for the purpose of draining the cellars of the buildings on said line, of stagnant water. And the petitioners are hereby enjoined, to have the said street so disturbed for the purpose of laying said sewers, replaced in like good condition as now existing ; the

whole expense attending the same to be paid by the said Weisnaucer and Neimger.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Mills offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That George Mesner be, and he is hereby, authorized to sink a well and erect a pump on the southwest corner of Gay and Bond streets, the work to be done in accordance with existing ordinances, and under the supervision of the Water Engineer ; the said George Mesner to pay the entire expense of sinking well, erecting the pump and replacing pavement in good condition.

On motion of Mr. Mills, the resolution was read a second time, by special order and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to receive proposals for strengthening the new Lexington Market, according to the design prepared by the said Commissioner, and that he report to the Council after examining the bids, the sum required to do the work in the shortest possible time, consistent with the interest of the city.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

The following ordinance was received from the Second Branch and read :

An ordinance amendatory of section 70 of article 23 of Baltimore City Code, title "Health," sub-title "Ordinances."

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, that section 70 of article 23 of the Baltimore City Code, title "Health," sub-title "Ordinances," be, and the same is hereby, amended to read as follows, viz :

SEC. 70. No slaughter-house, or hide-house shall hereafter be erected within the limits of the city, under a penalty of \$200, and a further penalty of \$100 for each and every month thereafter, until the same is pulled down, or removed out of the city limits.

SEC. 2. Be it further enacted, That this ordinance shall take effect from and after the date of its passage.

On motion of Mr. Berry, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

On motion of Mr. Sommerlock, the Branch took a recess of fifteen minutes.

Business being resumed—

On motion of Mr. Trippe, a committee of two was appointed to invite the Second Branch into convention with the First for the purpose of electing five Commissioners for the Improvement of Jones' Falls.

The Chair named as such committee—Messrs. Trippe and Randall.

The two Branches then went into convention, and after remaining therein for some time, the members of the Second Branch returned to their Chamber.

Business being resumed—

On motion of Mr. Weitzell, the Branch adjourned until tomorrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Wednesday, March 29, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell and Smyrk.

Mr. Bond presented a petition from M. C. Roby, to have refunded taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Johnson presented a petition from H. Stulzenbaugh, for damages done his horse and wagon by steam engine No. 1 of the Baltimore City Fire Department, which was read and referred to the Joint Standing Committee on Claims.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, instructed to have proper flagging laid across Cathedral street, in front of Emmanuel Church, of such width (not exceeding six feet) as in his judgment may be necessary, the expense of the same to be taken out of any money not otherwise appropriated



On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Crout called up the resolution in relation to erecting a new building for the use of Baltimore City College, which was read.

On motion of Mr. Mills, the resolution was referred to the Joint Standing Committee on Education.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of George H. Allender & Co., asking the privilege of laying a pipe sewer, running from the southeast corner of Paca and Hamburg streets to the northeast corner of the same, beg to report the following resolution :

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
WM. H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the privilege is hereby granted to George H. Allender & Co. to construct a sewer from the southeast corner of Paca and Hamburg streets to the northwest corner of the same, for the purpose of conducting water from the cellars of new buildings on the southeast corner ; the paving on the line to be replaced in good condition, and the entire expense attending the same to be paid by the said petitioners, George H. Allender & Co.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

On a motion to adjourn, by Mr. Crout, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Trippe, Bruce, Kernan, Torsch, Bond, Freeberger, and Crout—9.

*Nays*—Messrs. Mills, Ward, Price, Sommerlock, Randall, Berry, Ehlers, Johnson, and Weaver—9.

The Branch refused to adjourn.

The Second Branch returned the following resolutions, severally endorsed "adopted :"

Resolution granting permission to S. H. & J. F. Adams to sink a well.

Resolution in favor of Messrs. Weisnauer & Neimger.

Resolution in favor of Geo. Messner.

Resolution in relation to roofing the Lexington and Hanover Market-houses.

The Second Branch returned the following ordinances, respectively endorsed "passed :"

An ordinance to determine the beginning of the fiscal year.

An ordinance for the paving of West street and Durst alley.

On motion of Mr. Bond, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Thursday, March 30, 1871.

The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Crout.

Mr. Smyrk presented a petition from Chas. A. Stake and others, against the location of the Johns Hopkins Hospital, which was read and referred to the Joint Standing Committee on Highways.

Mr. Price offered a message to the Second Branch, that when the Council adjourn this evening, it stand adjourned until Monday afternoon, at 5 o'clock.

The message was ordered to be sent.

It was subsequently announced that the Second Branch had adjourned for want of a quorum.

The President presented an invitation from B. M. Snowden, to attend an entertainment for the benefit of Female Grammar School No. 15, this evening at 8 o'clock.

On motion of Mr. Bond, the invitation was accepted.

Mr. Torsch presented a petition from Herman Schinck, for permission to rebuild a frame kitchen at 68 Park street, which was read and referred to the Joint Standing Committee on the Fire Department.

Mr. Johnson presented a petition from Jas. M. Johnson and others, to have Parrish street paved to McHenry street, which was read and referred to the Joint Standing Committee on Health.

Mr. Weaver presented a petition from Isaac Cox and others, asking that the terms of the ordinance granting certain

privileges to the Baltimore and Potomac Railroad be complied with, which was read, and on motion of Mr. Weaver, referred to the Joint Standing Committee on Highways.

Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Health, to whom was referred the petition of certain property holders in reference to the placing of garbage in the bed of McCulloh street, respectfully beg leave to report that they have considered the matter and find that section 54, of the city ordinance, entitled "Health," sufficiently provides for the prevention of the nuisance complained of. The committee would respectfully call the attention of the Board of Health to the locality in question. They recommend the adoption of the following resolution :

G. MORRIS BOND,  
J. HARRY WEAVER,  
JOSEPH G. JOHNSON,  
*First Branch.*

A. W. DUKE,  
JESSE R. OGLE,  
*Second Branch.*

Resolved that the Committee be discharged from the further consideration of the subject.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Trippe introduced the following ordinance, which was read :

An ordinance to repeal section 1, of the City Code, 1869, title "Sabbath," sub-title "Ordinances," and to re-enact the same with amendments.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That section 1, of the City Code,



1869, title "Sabbath," sub-title "Ordinances," be, and the same is hereby, repealed, and the following enacted in lieu thereof, "It shall not be lawful for any person or persons to drive any cattle droves of horses, mules, sheep or hogs through any of the streets, lanes or alleys of the city within the limits of direct taxation, on the Sabbath day, under a penalty of five dollars per head for each and every offence ; provided that nothing herein contained shall apply to horses brought to the city on the Sabbath day and taken to the nearest stable."

SEC. 2. Be it enacted and ordained, That this act take effect from and after the date of its passage.

On motion of Mr. Trippe, the ordinance was read a second time, by special order.

Mr. Bond moved that the ordinance be referred to the Joint Standing Committee on Highways.

The motion was declared lost.

On a motion by Mr. Bond that the ordinance lay on the table, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Mills, Kernan, Bond, Randall, Freeberger, Ehlers, and Johnson—8.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Sommerlock, Berry, and Weaver—11.

The Branch refused to lay the ordinance upon the table.

The question recurring on the passage of the ordinance, the title was approved and the ordinance declared passed.

Mr. Smyrk introduced an ordinance entitled "An ordinance to regulate boats, lighters and scows, and to provide for licensing the same," which was read and declared laid on the table.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of John E. Marshall and others in relation to the condition of Spring street, between East Biddle and John streets, respectfully state that they visited the locality named, and discovered that the section or locality referred to is used as a place of deposit for all refuse matter and noxious substances, very dangerous to the health of the residents in that locality and to the community generally, and believe that the best means of accomplishing a thorough remedy of the evil is by having the same properly graded and paved, herewith submit the following ordinance and respectfully ask its passage :

S. SANDS MILLS,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WILLIAM H. VICKERY,

*Second Branch.*

An ordinance to provide for the paving and grading of Spring street, between East Biddle and John streets.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have paved, as provided for in ordinance of the city, approved June 3, 1870, all that part of the bed of Spring street between East Biddle and John streets.

SEC. 2. And be it enacted and ordained, That the cost of paving said street, as aforesaid, shall be assessed on the property binding thereon, as provided in the aforesaid ordinance, which authorizes the paving of streets and alleys in the city of Baltimore; and the City Commissioner, the Register, and the City Collector are hereby authorized and di-

rected to do all acts and things necessary and proper to carry into effect the provisions of this ordinance.

SEC. 3. And be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Freeberger, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of H. B. Penty & Son, and others, asking that flag stones be placed at the crossing from Pier No. 12 Light street wharf, respectfully state, that after having visited the locality named in said petition, believe the prayer of the petitioners should be granted. They therefore offer the following resolution, and ask its adoption.

S. SANDS MILLS,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have flag stones laid at the crossing from Pier No. 12 Light street wharf, said stones to be not less than four feet in width ; the expense of the same to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Sommerlock offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized to raise the grade of Diamond street, at the corner of Saratoga street ; the expense of the same to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have Boundary avenue repaired and placed in proper condition, and the sum of two thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of the levy of 1871, for the expenses thereof.

On motion of Mr. Johnson, the resolution was referred to the Joint Standing Committee on Highways.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have the old pump stock, in front of house 381 Canton avenue, removed, and the well properly covered ; expense of the same to be taken out of the levy for 1871.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :



Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to have Boston street shelled, from Harris's Creek to Burk street, and that the sum of one hundred and fifty dollars, or so much thereof as may be necessary be, and the same is hereby, appropriated, to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

A report of the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch and read :

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

A report of the Joint Standing Committee on Highways, with an ordinance entitled "An ordinance to condemn and open Oliver street, from Belair avenue to Mine Bank lane," was received from the Second Branch and read.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

The following resolution was received from the Second Branch and read :

Whereas, it has never been deemed sound policy to perpetuate evidences of civil strife, but rather to obliterate, as far as possible, every mark of a struggle between the people of a common country ; therefore, be it

Resolved by both Branches of the City Council of Baltimore, That the Park Commissioners be, and they are hereby, requested to have removed and destroyed, altogether, every trace of the earth-work now standing near the entrance to Druid Hill Park, which was constructed in the darkest days of our late civil war.

Resolved, That a copy of these resolutions, duly certified by the officers of each Branch, shall be presented by the Chief Clerk to the Mayor, as member *ex-officio* of the Board of Park Commission.

Mr. Price offered the following amendment, which was read :

Strike out the word "requested," and insert in lieu thereof the words "authorized in their discretion."

The question being on the adoption of the amendment, the amendment was declared adopted.

The question recurring on the resolution, it was declared adopted.

On motion of Mr. Johnson, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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## Friday, March 31, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell, Hudgins, Trippe, Mills, Kernan, Price, Ehlers and Crout.

It appearing from the call of the roll that a quorum of members was not present—

On a motion by Mr. Berry to adjourn, the yeas and nays were demanded by Mr. Weaver, resulting as follows :

*Yeas*—Messrs. President, Bruce, Torsch, Bond, Berry, and Freeberger—6.

*Nays*—Messrs. Smyrk, Ward, Sommerlock, Johnson, and Weaver—5.

The Branch was declared adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

The following ordinances and resolutions were presented to the Mayor on March 14th :

An ordinance to repeal and re-enact section 91, Article 43, of the Baltimore City Code, entitled "Streets and City Commissioner."

An ordinance to secure economy in the expenses of the City Council.

An ordinance entitled "An ordinance to permit Ernest Neurath to case up the wall of his property on the corner of Fayette and Park streets, and also to extend his building line four and a half inches on Park street."

An ordinance entitled "An ordinance to change the name of Gist street to Patterson Park avenue."

An ordinance entitled "An ordinance to repeal ordinance No. 58, of 1869, entitled 'An ordinance to straighten Lanvale street, by condemning the projecting point which occurs at the intersection of Lanvale street with Fremont street.' "

An ordinance to determine the salary of the Janitor of the City Hall.

An ordinance to increase the pay of the lamplighters.

An ordinance to condemn and open McElderry street, from Broadway to Register street.

Resolution appropriating \$17,000 for the erection of a building for the use of Male and Female Grammar School No. 17.

Resolution to pay John B. Emory certain money.

Resolution granting permission to the West Baltimore Target Rifle Association to erect a target for rifle practice.

Resolution to remove old pump stock from Mulberry street.

Resolution to permit Thos. Voyce to erect a brick-kiln.

The following on March 16th :

An ordinance for the condemnation of Eutaw street, formerly Gibson street, between Mt. Hope lane and North avenue ; and Presstman street, between Madison and Linden avenues, as laid down on Poppleton's plat.

An ordinance to condemn and open Dolphin street, from Pennsylvania avenue to Chatsworth street.

The following on March 22d :

Resolution for a gas main on Edward street, between Aisquith street and Central avenue.

Resolution for a gas main on Republican street, between Saratoga and Franklin streets.

Resolution permitting Christian Muhly to sink a well.

Resolution for the repair of a pump on the northwest corner of Sharp and Camden streets.

Resolution appropriating \$1500 for transcribing the dockets of the Circuit Court of Baltimore city, or indexing the same, and re-binding the originals.

An ordinance to authorize the appointment of an additional lamplighter.

The following ordinances on March 24th :

An ordinance in relation to fines and penalties imposed under ordinances of the Mayor and City Council of Baltimore.

An ordinance for the relief of the members of the Fire Department of the City of Baltimore, who may be disabled



while in the discharge of their duties, and to provide for their families in case of death occurring in the service.

The following ordinance on March 25th :

An ordinance making further provision for the Improvement of Jones' Falls, and repealing inconsistent provisions in existing ordinances.

The following ordinance on March 30th :

An ordinance to condemn and close a twenty-foot alley, lying between Thompson and Adams streets.

The following resolutions on March 30th :

Resolution in favor of George Cuttle.

Resolution in favor of James Fahey.

Resolution in favor of Laurason & Smith.

Resolution in favor of Sarah McCullough.

Resolution in favor of the Hibernian Society.

Resolution for the removal of an old pump stock from Camden street.

Resolution authorizing Messrs. Weisnauer & Neimger to construct a sewer.

Resolution for the purpose of shelling Franklin street, west from Payson street to the city limits.

The following ordinances and resolutions on March 31st :

An ordinance to provide for the paving of West street and Durst alley.

An ordinance to determine the beginning of the fiscal year.

Resolution permitting Messrs. S. H. & J. F. Adams to sink a well.

Resolution for placing a new roof on the north side of the Hanover, and on the south side of the Lexington Market-houses.

Resolution authorizing Geo. Mesner to sink a well and erect a pump on the southwest corner of Gay and Bond streets.

Resolution for the removal of an old pump stock at the intersection of Frederick avenue and Baltimore street.

#### APPROPRIATIONS.

Amount heretofore appropriated.....	\$21,694 56
Resolution for the erection of a building for the use of Male and Female Grammar School No. 17.....	17,000 00
Resolution to pay Jno. B. Emory certain money.....	40 49
Resolution for the rebuilding of the Lafayette Market.....	9,150 00
Resolution for transcribing the dockets of the Circuit Court of Baltimore city, &c.....	1,500 00
Resolution in favor of George Cuttle.....	76 57
“ “ James Fahey.....	100 00
“ “ Laurason & Smith.....	79 80
“ “ Sarah McCullough.....	5 85
“ “ Hibernian Society.....	236 00
Resolution for shelling Franklin street, west from Payson street.....	200 00
Resolution to shell Point lane, east of Green- mount avenue.....	300 00
Resolution for painting the Mayor's picture.....	300 00
Resolution for re-roofing the Lexington Market- house, between Paca and Green streets, and the Hanover Market-house.....	1,543 99
	<hr/>
	\$52,227 26

Saturday, April 1, 1871.

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The Branch met pursuant to adjournment.

Present—Messrs. Weitzell, Bruce, Smyrk, Mills, Ward, Sommerlock, Berry, Freeberger Weaver, and Crout.

In the absence of the President—

On motion of Mr. Smyrk, Col. Mills was called to the Chair.

It appearing from a call of the roll that a quorum of members was not in the Branch—

On motion of Mr. Weitzell, the Branch adjourned until Monday afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, April 3, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Bond.

Col. Wm. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a message from his Honor the Mayor.

Mr. Price presented a petition, &c., from G. D Clark, to condemn the bed of Bird street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Johnson presented a petition from John Dobbin, asking payment for the funeral expenses of Wells and McComas, which was read and referred to the Joint Standing Committee on Claims.

The President presented a petition from Thornton Connelle, to construct a drain at the corner of Baltimore street and Castle alley, which was read and referred to the Joint Standing Committee on Highways.

The President presented a communication from R. A. McAllister, in regard to the admission of Julia Augusta Harden, colored, in the Deaf and Dumb Asylum, at Frederick, which was read and referred to the Joint Standing Committee on Education.

The President presented the following communication from Dr. Milton N. Taylor, Health Commissioner, which was read :

HEALTH OFFICE, OLD CITY HALL,  
Baltimore, April 3, 1871.

*To the President First Branch City Council :*

In reply to a resolution, passed by your Honorable Body, March 28, requesting "the Commissioner of Health to inform this Branch why he failed to reply to a resolution of inquiry, addressed to him during the last session of the Council, in relation to estimated cost of cleaning Harford Run," that officer has the honor to lay before the Branch the following :

In the several reports which the Board of Health has had the honor to submit to his Honor the Mayor and the Honorable the First and Second Branches of the City Council, reference was made to the condition of the district in which Harford Run finds its outlet at tide-water, and in the last report the reiteration of this reference was accompanied with a recommendation to tunnel the run from Eastern avenue to the Back Basin, the tunnel to be covered with plates of iron, so adjusted as to be capable of removal for cleaning it, when necessary, which recommendation was intended as answer, so far as this department involves, to the information asked for by your Honorable Body, because preparatorily to tunneling, a thorough excavation would be necessary so far as to obtain a proper foundation, which excavation, in the opinion of the Commissioner of Health, can be effected in an economical manner only by the application of dredging machines, which are not at the service of that officer. It may not be improper to add, that the removal of so much matter by horse and carts from a local-



is the bottom of Harford Run, between Eastern avenue and the Basin, would involve an amount of cost so important as to demand an accuracy of calculation which only an experienced engineer could supply. Upon whatever course the Honorable the City Council may determine, the public health demands the removal of so large an amount of such sediment as is deposited in the run should not be attempted during the heated term. The Commissioner of Health repeats the recommendation contained in his report of January 1st, and insists that a nuisance so offensive and dangerous as that existing in Harford Run and its vicinity ought to be abated without delay.

I have the honor to be, your obedient servant,

MILTON N. TAYLOR, M. D.,

*Commissioner of Health.*

The communication was, on motion, referred to the Joint Standing Committee on Health.

The President presented the following communication from John H. Tegmeyer, City Commissioner, which was read :

CITY COMMISSIONER'S OFFICE,  
Baltimore, April 3, 1871.

*To the Honorable Mayor and City Council of Baltimore :*

The only available lots within the limits prescribed by resolution No. 48, approved March 16, 1871, suitable for Public School House No. 17 exceed the price named, and it will therefore be necessary for your honorable bodies to increase the price fifty cents per front foot, making it \$4.00 instead of \$3.50 to secure a lot 75½ feet front.

Respectfully,

J. H. TEGMEYER,  
*City Commissioner.*

On motion, the communication was laid on the table.

The President presented the following communication from John P. Poe, Esq., which was read :

*To the Honorable Mayor and City Council of Baltimore :*

GENTLEMEN—

As Chairman of the Committee of Conference of the Board of Public School Commissioners, I am instructed to inform your honorable bodies that within the limits designated by joint resolution No. —, approved ———, 1871, for the selection of a site for Public School No. 17, there are but four lots suitable for the purpose—of these four the City Commissioner has rejected one, the City Solicitor declined to pass the title of one, and of the remaining two one is held at the price of \$4.50 per front foot, and the other at \$4.00 per front foot, both of these amounts being beyond the maximum price mentioned in the joint resolution authorizing the selection of a lot for the school.

Under these circumstances I am instructed to respectfully request that your honorable bodies will be pleased to pass an amended and supplemented joint resolution in such shape as to permit of the leasing of such one of the two lots above mentioned as was next with your preference.

This can be done by a simple amendment increasing the price authorized to be paid for the lot from \$3.50 per front foot, which is the limit in the present joint resolution, to \$4.00 or \$4.50, as may seem best to your honorable bodies.

Respectfully submitted.

JOHN P. POE,

*Chairman of the Committee of Conference  
of the Board of Public School Commissioners.*

On motion, the communication was laid on the table.

Mr. Johnson, from the Joint Standing Committee on Harbor, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on the Harbor, to whom was referred the petition of Messrs. Baker Bros. & Co., asking permission to extend two platform piers in front of their property on the south side of the harbor, adjoining Fardy's

ship yard, ask leave to report that they have examined into the merits of the application, and believing that the privilege will facilitate the business of said petitioners and in no wise interfere with navigation in the harbor, recommend the granting of said privilege, and the adoption of the following resolution.

JOSEPH G. JOHNSON,

A. E. SMYRK,

J. C. RANDALL,

*First Branch.*

H. McCOY,

DANIEL CONSTANTINE,

JOHN MILROY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and is hereby granted to Messrs. Baker Bros. & Co. to extend two platform piers into the harbor in front of their property, between Henry street and Fardy's railway, the first of said platform piers to commence at the northeast corner of their property and to extend with a width of thirty feet not more than seventy-five feet into the harbor; the second of said piers to commence at the northwest corner of their property and to extend with a width of thirty feet not more than seventy feet into the harbor; provided said Baker Bros. & Co., or the owners thereof, shall at all times maintain a depth of twenty-two feet of water within an area of twenty-five feet of said piers; and it is also provided that said piers shall be removed at the expense of the owners whenever, in the judgment of the Mayor and City Council, the same shall be deemed necessary, upon giving six months notice.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Johnson, from the Joint Standing Committee on Harbor, submitted the following report and accompanying ordinance, which were read:



The Joint Standing Committee on the Harbor, to whom was referred the applications of the Abbott Iron Co., E. Patterson, Jr., and Joseph R. Golibart, asking that the Port Warden's line be changed so as to give them the privilege of extending a wharf in front of their property at Canton, respectfully report that they have given the matter a careful consideration, and are of the opinion the proposed change should be made, as it would give them the additional facilities required by their extended business, and at the same time will not interfere with navigation in the harbor. Your Committee, therefore, present the following ordinance, and recommend its passage :

JOS. G. JOHNSON,

A. E. SMYRK,

J. C. RANDALL,

*First Branch.*

H. McCOY,

JOHN MILROY,

DANIEL CONSTANTINE,

*Second Branch.*

An Ordinance to change and extend the Port Warden's line in the cove at Canton.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Port Warden's line between the centre of Burke street and the centre of Cannon street be, and the same is hereby, extended to conform to the following metes and bounds : Beginning for the same at the east end of the Port Warden's line (at the end of Burke street), as established and approved April 1, 1865, and running thence southeasterly, parallel to Boston street, and distant three hundred feet therefrom, measured at right angles thereto, to intersect a line drawn southwesterly at right angles to the line of Boston street, from a point where the centre lines of Boston and Cannon street intersect; thence northeasterly binding on said southwesterly line reversely, and also on the Port Warden's line as established and approved April 16, 1859, one hundred feet to the Port Warden's line, as then established.



On motion of Mr. Johnson, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Johnson, from the Joint Standing Committee on Harbor submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on the Harbor, to whom was referred the resolution to place an anchorage buoy in the northeast part of the harbor of Baltimore, have given the matter a careful consideration, and believe that the placing of said buoy is necessary to the interest of the city of Baltimore, and therefore recommend the adoption of the following resolution.

JOS. G. JOHNSON,  
A. E. SMYRK,  
J. C. RANDALL,

*First Branch.*

H. McCOY,  
DANIEL CONSTANTINE,  
JOHN MILROY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Port Warden be, and he is hereby, authorized and directed to place an anchorage buoy in the northeast part of the harbor of Baltimore, on a line from the foot of Fell street to the Lazaretto Light-house; and that all vessels be compelled to anchor to the northwest of said buoy, or be subject to a fine of ten dollars per hour for every hour they may remain at any other anchorage in the harbor after having been duly notified in writing by the Harbor Master of said district to anchor inside the above prescribed limits : provided, in the event of the prescribed space being insufficient to accommodate said vessels, the Harbor Master shall provide, in his discretion, other suitable places.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on the Fire Department, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on the Fire Department, to whom was referred the petition of John Coates and others, asking for the erection of a fire alarm box on McMechin street, between Madison avenue and Eutaw street, and also the petition of E. L. Irons and others for the erection of a fire alarm box on the corner of Gist and Pratt streets, respectfully state that, after investigating the subject and having an interview with Mr. John H. Witman, late Superintendent of the Fire Alarm Telegraph, they are of the opinion that said boxes should be erected, but that, acting under a suggestion made by Mr. Witman, they believe the box on McMechin street should be erected on the corner of McMechin street and Madison avenue rather than on McMechin street, between Madison avenue and Eutaw street, as the expense would be less. They, therefore, offer the following resolution, and respectfully ask its adoption :

S. SANDS MILLS,  
J. C. RANDALL,  
JOHN W. TORSCH.

*First Branch.*

J. I. GROSS,  
DANIEL CONSTANTINE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Superintendent of the Police and Fire Alarm Telegraph be, and he is hereby, authorized and directed to have placed at the corner of McMechin street and Madison avenue a Fire Alarm Telegraph Box, and to extend the line so as to place a box at the corner of Pratt and Gist streets ; and he is hereby authorized to draw on the City Register for the sum of three hundred dollars for the first named box, and the sum of four hundred and seventy dollars for the secondly named box and line, or so much of the respective sums as may be necessary, to defray the expense of the same.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

Mr. Kernan offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have a stone bridge, similar to the bridge at Eager street, erected across Jones' Falls at John street, and that the sum of fifty thousand dollars, or so much of said sum as may be necessary, be, and the same is hereby, appropriated for the erection of said bridge, the expense of the same to be taken out of the levy of 1871.

The resolution was declared laid on the table.

Mr. Crout offered the following resolution, which was read :

Resolution supplementary to resolution number forty-eight, entitled "A resolution appropriating seventeen thousand dollars for the erection of a building for the use of Male and Female Grammar Schools No. 17, and approved March 16, 1871.

Resolved by the Mayor and City Council of Baltimore, That section second of resolution number forty-eight, approved March 16, 1871, be, and the same is hereby, repealed, and the following enacted in lieu thereof :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and is hereby, authorized and empowered to lease a lot of ground in that section of the city bounded by Ann, Pratt, Gist and Fayette streets, at a sum not exceeding four dollars per front foot, and said front not to exceed one hundred feet, and that the said City Commissioner have erected on said lot a suitable building for the use of Male and Female Grammar Schools No. 17, and that the sum of seventeen thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated therefor.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to change or have changed the grade of West street from Leadenhall to Hanover street, so as to allow the water and accumulating filth to flow into the run adjoining.

On motion of Mr. Johnson, the resolution was referred to the Joint Standing Committee on Health.

On motion of Mr. Johnson, a committee of two was appointed to invite the Second Branch into convention with the First on a sealed communication from his Honor the Mayor.

The Chair named as such committee—Messrs. Johnson and Trippe.

The committee, after a brief absence, returned and reported that the Second Branch refused to go into joint convention with the First.

Mr. Trippe proposed a message to the Second Branch, that that body be *invited* to take seats in the First Branch on the subject of the Mayor's sealed communication *only*.

The message was ordered to be sent.

On a motion by Mr. Johnson to adjourn, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Kernan, Freeberger, Ehlers, Johnson, and Weaver—7.

*Nays*—Messrs. President, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Price, Sommerlock, Randall, Berry, and Crout—12.



The Branch refused to adjourn.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, April 3, 1871.

*Gentlemen of the First Branch:*

We respectfully propose, with your concurrence, to go into convention on the sealed communication from his Honor the Mayor, provided no other business than such as is mentioned in said communication be transacted in said convention.

By order,

GEO. T. BEALL, JR., *Clerk.*

The message was declared laid on the table.

The Second Branch returned the resolution in relation to School No. 17, endorsed "adopted."

On a motion by Mr. Johnson to adjourn, Mr. Smyrk demanded the yeas and nays, resulting as follows:

*Yeas*—Messrs. Weitzell, Hudgins, Kernan, Torsch, Sommerlock, Randall, Freeberger, Ehlers, Johnson, Weaver, and Crout—11.

*Nays*—Messrs. President, Trippe, Bruce, Smyrk, Mills, Ward, Price, and Berry—8.

The Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Tuesday, April 4, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Ward and Bond.

Mr. Price presented a petition from W. W. King and others, to widen Eutaw street, between Laurens street and North avenue, which was read and referred to the Joint Standing Committee on Highways.

Mr. Price presented a petition from Thos. Winsett and others, to condemn and open Morris alley, which was read and referred to the Joint Standing Committee on Highways.

The President presented an invitation from F. Knapp, to attend the 18th annual commencement of F. Knapp's Institute, on Thursday evening, 6th inst., at 7.30 o'clock P. M., at the Concordia, which was read, and on motion of Mr. Smyrk, accepted.

The President presented the following communication from his Honor the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, April 3, 1871.

*To the Honorable President and Members  
of the First Branch of the City Council :*

GENTLEMEN—

I have the honor to inform you that the following named ordinances and resolutions, which originated in your Branch, have been duly signed by me and placed on file in the office of the City Register according to law.

An ordinance to provide for the paving of West street and Durst alley ; approved March 31, 1871.

An ordinance to condemn and close a twenty-foot alley, lying between Thompson and Adams streets; approved April 3, 1871.

Resolution authorizing Messrs. Weisnancer & Neimger to construct a sewer; approved March 30, 1871.

Resolution in favor of the Hibernian Society; approved March 30, 1871.

Resolution in favor of James Fahey; approved March 31, 1871.

Resolution for the purpose of shelling Franklin street, west from Payson street to the city limits; approved March 31, 1871.

Resolution for the removal of an old pump stock at the intersection of Frederick avenue and Baltimore street; approved March 31, 1871.

Resolution authorizing George Mesner to sink a well and erect a pump on the southwest corner of Gay and Bond streets; approved March 31, 1871.

Resolution permitting Messrs. S. H. and J. F. Adams to sink a well; approved March 31, 1871.

Resolution for placing a new roof on the north side of the Hanover and on the south side of the Lexington Market Houses; approved March 31, 1871.

Resolution for the removal of an old pump stock on Camden street; approved April 3, 1871.

Resolution in favor of George Cuttle; approved April 3, 1871.

Resolution in favor of Laurason & Smith; approved April 3, 1871.

Resolution in favor of Sarah McCullough; approved April 3, 1871.

Very respectfully,

ROBERT T. BANKS, *Mayor*.

Mr. Mills presented a petition from Jacob Buck to extend his building line on the southwest corner of Caroline and Gay streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Randall, from the Joint Standing Committee on City Property, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on City Property, to whom was referred the communication of the law officers of the city, in relation to an error in the proceedings of the Commissioners for Opening Streets in the matter of opening Park street under ordinance No. 60 of 1868, respectfully report, that having considered the subject matter of the said communication they are of opinion that the interests of the city would be subserved by the adoption of the suggestion of the said law officers ; they, therefore, respectfully recommend the enactment of the accompanying ordinance :

J. C. RANDALL,  
JOHN F. SOMMERLOCK,  
J. H. FREEBERGER,  
*First Branch.*

JESSE R. OGLE,  
JOHN MILROY,  
*Second Branch.*

An Ordinance to relieve certain property holders on Park street from assessments for benefits imposed upon them for the opening of said street under ordinance No. 60 of 1868, and for returning said benefits in cases where they have been paid to the city.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That all property holders on Park street, between Franklin and Richmond streets be, and they are hereby, relieved and discharged from all liability for the payment to the city of the sums of money assessed against them respectively as benefits for the opening of Park street under ordinance No. 60 of 1868.



SEC. 2. And be it enacted, That the Register of the City be, and he is hereby, authorized and directed to refund all such benefits to all such of said property holders respectively as may have paid the same to the city.

SEC. 3. And be it enacted and ordained, That whatever deficiency may be created by this ordinance in the means provided for the opening of said street, be paid out of the city treasury.

SEC. 4. And be it enacted and ordained, That the sum of six thousand six hundred and thirty-nine dollars and forty-one cents, or so much thereof as may be necessary, be, and the same is hereby, appropriated to carry out the provisions of this ordinance.

SEC. 5. And be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Price, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the memorial of the Gas Light Company of Baltimore in answer to a communication of this Branch, respectfully report that in their opinion a contract with the Company, at the rate indicated in said memorial, is not advisable, but that it is to the city's interest that a contract should be made with the Company at a reasonable rate. At present with no contract, if the Company charged the city the same rate as they do private consumers, the cost would be more than \$50 per lamp. Even at this rate the cost to the city would not be more than in most large cities, and in some cases, less. Your committee, however, while not willing to pay that sum, would recommend the payment of \$45 per lamp; and that the rates may not be raised on

the city, would further recommend that the contract be made for five years:

A. C. TRIPPE,  
BENJ. PRICE,  
H. CROUT,

*First Branch.*

H. McCOY,  
WILLIAM H. VICKERY,  
*Second Branch.*

The following message was received from the Second Branch and read.

IN SECOND BRANCH,  
Baltimore, April 4, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition of yesterday to go into joint convention on the subject of the sealed communication of his Honor the Mayor only.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred a resolution in relation to the pay of members, respectfully report that, by an ordinance approved January 20, 1826, and inserted in the Code, the compensation of members is fixed at \$1.50 per day of actual session, which ordinance this Council may repeal, unless the city charter restricts them. The charter, sec. (Code, 1869), says : " They shall ascertain by ordinance the compensation of their services, which shall not be increased during their continuance in office." And the limitation there is in the last clause, and the objection made is that the Second Branch, having accepted the per diem last year under the old ordinance, it cannot be increased this. Is it so ?

Section 2 of the city charter provides that the Council shall consist of two Branches—the First to serve for one year, and the Second for two years, and the duration of time there refers to each Branch singly.

Section 4 of the charter determines the duration of a Council as follows: "The regular sessions of the City Council of Baltimore (which shall be annual) shall commence on the third Monday in January," and section 21, amending, reads, "first Monday of November in each and every year;" so that a new Council meets every year, wholly distinct, as to its official acts, from the preceding one. It is plain that the action of the Second Branch of last year alone cannot affect this Council. It was only their action in connection with the First Branch, as the Council of '69 and '70, that could enact an ordinance; but that Council expired by their adjournment *sine die* in October last, and are *functus officio*, and the Second Branch, as a part of that Council, expired in the final adjournment of that Council. It now becomes a part of a new organization, wholly distinct from any other, beginning its term of office in November last, and to end that term in October next. We are, therefore of the opinion that the provision of the charter means that "they (the City Council) shall ascertain by ordinance the compensation for their services, which shall not be increased during their (joint) continuance in office. And if the Council of last year had by ordinance, much less by implication, attempted to fix the salary of the Council of this year, they went beyond the law, and fixed the salaries of others than themselves. Each Council must determine the compensation for itself. Each Council expires each year, therefore each Council must fix the per diem, either by ordinance or assent, annually. If the rule sought to be applied here were applied to Congress, the pay of its members could never be raised, for some of them hold over from session to session, and, while always changing its membership, is never entirely changed. Every law should be reasonably construed with reference to its object and subject matter, and the rights of a Council ought not to be impaired except by express and unexceptionable enactments. We have given the clause of the charter an interpretation, we believe, in accordance with its spirit and letter, and one which maintains the equality



of this Council unimpaired. It certainly is not reasonable to suppose that it was the intention of the Legislature to give every alternate Council extraordinary powers.

Having the right under the charter to fix our compensation, it only remains to determine what the amount shall be. Your committee do not think it necessary to do more than barely refer to the present compensation of members, which it is patent to everybody is grossly inadequate for the services rendered. They have taken into consideration the expenditures of members on official duty, and recommend their abolishment, except as authorized by ordinance. These expenditures, while absolutely necessary under the present limited per diem, are of but little satisfaction to members, and the occasion of much public comment and charges of extravagance, and your committee believe it would be much better to pay the members a reasonable salary, let them bear their individual and committee expenses themselves, and whenever an appropriation is needed, let it be made openly by ordinance, meeting fairly the responsibility, and not including such expenses in the diary fund, which is the occasion of suspicion because not understood.

In accordance with these views, your committee recommend that the salary of the Council be fixed at \$1,000 per annum; that the diary fund be abolished, and ask the adoption of the following ordinance:

A. C. TRIPPE,  
BENJ. PRICE,  
H. CROUT,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
WILLIAM H. VICKERY,

*Second Branch.*

An ordinance to ascertain the compensation of members of the Council.



SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the members of the City Council shall receive one thousand dollars per annum, as a compensation for their services.

SEC. 2. Be it further enacted and ordained, That the salary of the present Council shall be one thousand dollars.

SEC. 3. Be it further enacted and ordained, That it shall not be lawful for the City Register to pay to any person or persons any sum of money on account of the individual or committee expenses of any member of the Council (excepting salary) unless the same be authorized by ordinance specially enacted for the payment of the same.

SEC. 4. Be it further enacted and ordained, That the sum of one thousand dollars, provided for in this ordinance, shall be, and is the subject matter thereof.

SEC. 5. Be it further enacted and ordained, That all ordinances or parts of ordinances conflicting with this ordinance be, and the same are hereby, repealed.

SEC. 6. Be it further enacted and ordained, That this ordinance take effect from and after the date of its passage.

On motion of Mr. Trippe, the ordinance was read a second time, by special order.

The question being on the passage of the ordinance, the President demanded the yeas and nays, resulting as follows:

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Torsch, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—17.

*Nays*—Mr. President—1.

The title was approved and the ordinance declared passed.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means respecting the matter of raising the salary of the Mayoralty respectfully report that the greatly increased extent of the city of Baltimore, the largely increased duties of the position, and the necessity that citizens of high character, who alone should be called to fill the office, should not be subject to pecuniary loss in so doing, and the inadequacy of the present compensation, determine them to recommend an increase to \$5,000, to begin on the first Monday of November next.

A. C. TRIPPE,

H. CROUT,

BENJAMIN PRICE,

*First Branch.*

CHAS. G. KERR,

H. McCOY,

*Second Branch.*

An ordinance to repeal section 1st of Baltimore City Code, 1869, title "Ordinances," sub-title "Mayor," and to re-enact the same with amendments.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That section 1st of Baltimore City Code, 1869, title "Ordinances," sub-title "Mayor," be, and the same is hereby, repealed.

SEC. 2. Be it further enacted and ordained, That the compensation of the Mayor of the city of Baltimore be, and the same is hereby, fixed at five thousand dollars per annum.

SEC. 3. Be it further enacted and ordained, That this ordinance shall take effect from and after the first Monday of November next.

On motion of Mr. Trippe, the ordinance was read a second time, by special order.

The question being on the passage of the ordinance, the President demanded the yeas and nays, resulting as follows:

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan Torsch, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—17.

*Nays*—Mr. President—1.

The title was approved and the ordinance declared passed.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinances, which were read :

The Joint Standing Committee on Ways and Means, beg leave to present their budget for the year 1871, giving detailed statements and estimates of the sums of money required by the several departments of the city government during this year and the ordinances making the levy to pay for the same.

The largest extraordinary expense to be paid by the city this year is for the opening of Park street, \$113,000; the increased value of property, however, arising from the opening of this and other streets, makes such improvements desirable by increasing the taxable basis. Your committee are, however, of the opinion that the proportion of benefits to be paid by the city for any such improvements ought to be definitely ascertained, and they expect shortly to report an ordinance making provision therefor.

The importance of the improvement of the harbor so as to furnish facilities for access to our port by vessels of the largest tonnage, thereby restoring our laggard commerce and promoting the industrial interests of the whole community, has led the committee to make a liberal appropriation for that department.

The removal of the mortgage tax, by the Legislature the past year, has reduced the taxable basis of the city, \$10,000,000, reducing the taxes collectable, \$150,000; yet, in spite of this fact, it will be seen that the levy is preserved at \$1.50 in the hundred, which will meet every call on the city treasury for the present year without the necessity of funding a single dollar, whereas last year it was necessary to fund \$700,000.

This improved state of the city finances is certainly a subject of congratulation and is the best answer we can give to the charges of extravagance.

Your Committee herewith submit the following ordinances, viz.: "An ordinance to lay and collect a tax for the redemption of the City Hall Stock;" "an Ordinance to lay and collect a tax for the payment of certain expenses of the Courts, Jails, &c., for the year eighteen hundred and seventy-one;" "an ordinance to lay and collect a tax for the payment of the expenses of opening streets;" "an ordinance to provide for the payment of interest on the Park, Park Improvement, Extension of Water Works, Almshouse, Court House, and Miscellaneous Bonds;" "an ordinance to lay and collect a direct tax for the use of the State for the year eighteen hundred and seventy-one;" "an ordinance to provide for the payment of sundry expenses of the Criminal Court of Baltimore, for the City Poor in the Almshouse of Baltimore City, the House of Refuge, Aged Womens' Home, the Dispensaries, the Childrens' Aid Society, the Association for Improving the Condition of the Poor, etc., etc., for the year eighteen hundred and seventy-one;" "an ordinance to provide for the payment of interest on loans obtained by the city for the purpose of prosecuting the works of Internal Improvement;" "an ordinance to lay and collect a direct tax for the year eighteen hundred and seventy-one;" "an ordinance to lay and collect a tax for the support of the Police of Baltimore City for the year eighteen hundred and seventy-one;" "an Ordinance to provide for the payment of the expenses of the Public Schools in the City of Baltimore for the year eighteen hundred and seventy-one;" "an ordinance to lay and collect a direct tax for the repair of Highways and Bridges in certain parts of the City of Baltimore, and the necessary grading and masonry required for the construction of the same."

All of which is respectfully submitted.

A. C. TRIPPE,  
BENJ. PRICE,  
H. CROUT,

*First Branch.*

H. MCCOY,  
WM. H. VICKERY,

*Second Branch.*



On a motion by Mr. Johnson to lay the ordinances on the table, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. Randall, Ehlers, Johnson, and Weaver—4.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Torsch, Sommerlock, Berry, Freeberger, and Crout—13.

The question being upon the passage of the first ordinance of the series, submitted by the committee, being the following ordinance—

An ordinance to provide for the payment of interest on the Park, Park Improvement, extension of Water Works, Almshouse, Court-House, and Miscellaneous Bonds.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That for the year eighteen hundred and seventy-one a tax of twenty-five cents on every hundred dollars worth of assessable property in the city of Baltimore, and in like proportion for any greater or less amount be, and the same is hereby, levied and imposed for the payment of the interest on the Park, Park Improvement, extension of the Water Works, Almshouse, Court-House, and Miscellaneous Bonds; and the said tax shall be collected and paid in the manner prescribed by the laws of the State and ordinances of the city.

The title was approved and the ordinance declared passed.

The question being upon the passage of the following ordinance—

An Ordinance to lay and collect a tax for the payment of the expenses of opening certain streets.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That a tax of seven cents on every hundred dollars' worth of assessable property in the city of Baltimore, and in like proportion for any quarter or less amount, be, and the same is hereby, levied and imposed for the year

eighteen hundred and seventy-one, for the payment of the expenses of opening or closing certain streets in the city of Baltimore.

The title was approved and the ordinance declared passed.

The question being upon the passage of the following ordinance—

An ordinance to lay and collect a tax for the payment of certain expenses of the Courts, Jail, &c., for the year eighteen hundred and seventy-one.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That for the year eighteen hundred and seventy-one, the sum of nine cents on every hundred dollars worth of assessable property in the city of Baltimore, and, in like proportion for any greater or less amount be, and the same is hereby, levied and imposed for the payment of Judges and Clerks of elections; for the expenses of the Superior Court of Baltimore City; of the Court of Common Pleas; of the Circuit Court; of the City Court and of the Orphan's Court of Baltimore City; for the expenses of Court House; for the expenses of the Jail; for the expenses of Criminal Cases removed; for expenses of the Coroner; for the expenses of State Elections; and the said tax shall be collected and paid in the manner prescribed by the laws of the State and the ordinances of the city.

The title was approved and the ordinance declared passed.

The question being upon the passage of the following ordinance—

An ordinance to lay and collect a tax for the redemption of the City Hall Stock.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That for the year eighteen hundred and seventy-one a tax of two cents on every hundred dollars worth of assessable property in the city of Baltimore, and in like proportion for any greater or less amount be, and the same is hereby, imposed for the redemption of the City

Hall stock in accordance with the provisions of an Act of the General Assembly of the State of Maryland, passed at the session of eighteen hundred and sixty-six, chapter one, and of ordinance number sixty-two, of the Mayor and City Council of Baltimore, approved June twenty-fourth, eighteen hundred and sixty-eight.

The title was approved and the ordinance declared passed.

The question being upon the passage of the following ordinance—

An Ordinance to provide for the payment of sundry expenses of the Criminal Court of Baltimore; for the city poor in the Almshouse of Baltimore city, the House of Refuge, Aged Women's Home, the Dispensaries, the Children's Aid Society, the Association for Improving the Condition of the Poor, etc., etc., for the year eighteen hundred and seventy-one.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the sum of four cents on every hundred dollars' worth of assessable property in the city of Baltimore, and in like proportion for any greater or less amount, be, and the same is hereby levied and imposed for the year eighteen hundred and seventy-one, for the payment of the amount due on account of the expenses of the late Baltimore City Court, and of all expenses incurred in the administration of justice in the Criminal Court of Baltimore, as said expenses shall be ascertained and certified under the authority of the said Court.

SEC. 2. And be it enacted and ordained, That the sum of six and one-half cents on every hundred dollars' worth of such assessable property, and in like proportion for any greater or less amount, be, and the same is hereby levied and imposed for the year eighteen hundred and seventy-one, for defraying the expenses of the city poor, provided the Trustees of the Baltimore City Almshouse account annually with the Mayor and City Council of Baltimore, for the disbursement of all money received by them, in virtue of their trust, from the corporation of Baltimore, for the use of the poor of said city.

The title was approved and the ordinance declared passed.

The question being upon the passage of the following ordinance—

An Ordinance to lay and collect a Direct Tax for the year eighteen hundred and seventy-one.

Be it enacted and ordained by the Mayor and City Council of Baltimore, that for the year eighteen hundred and seventy-one, a direct tax of fifty cents be, and the same is hereby, imposed upon every hundred dollars' worth of assessable property within the City of Baltimore, within the limits of direct taxation, as established and prescribed by the Acts of the General Assembly and the ordinances of the city relating thereto, and, in like proportion, for any greater or less amount, as said property shall have been assessed pursuant to law; and the said direct tax shall be collected and paid in the manner prescribed by the Acts of the General Assembly of Maryland and the ordinances of the Mayor and City Council of Baltimore.

The title was approved and the ordinance declared passed.

The question being upon the passage of the following ordinance—

An ordinance to provide for the payment of interest on loans obtained by the city for the purpose of prosecuting the works of internal improvement.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That for the payment of interest on the loans obtained by the city for the purpose of prosecuting the works of the internal improvement, for the year eighteen hundred and seventy-one, a tax of five cents shall be, and is hereby, levied and imposed on every hundred dollars worth of assessable property in the City of Baltimore, and in like proportion for any quarter or less amount; and the said tax shall be laid and collected in the same manner as is now provided for in respect to other taxes by the Acts of Assembly and the ordinances of the city.

SEC. 2. And be it enacted and ordained, That the tax thus levied and collected shall be applied to the payment of the



interest on loans obtained by the city for the purpose of prosecuting the works of internal improvement.

The title was approved and the ordinance declared passed.

The question being upon the passage of the following ordinance—

An ordinance to lay and collect a tax for the support of the Police of Baltimore city for the year eighteen hundred and seventy-one.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That a tax of twenty-eight and one-half cents on every hundred dollars' worth of assessable property in the city of Baltimore, and in like proportion for any greater or less amount, be, and the same is hereby, imposed for the year eighteen hundred and seventy-one, for the support of the Police Department, of the City of Baltimore.

SEC. 2. And be it enacted and ordained, That the tax, hereby levied and imposed, shall be collected and paid in the manner prescribed by the laws of the State and the ordinances of the city.

The title was approved and the ordinance declared passed.

The question being upon the passage of the following ordinance—

An ordinance for the payment of the expenses of the Public Schools in the city of Baltimore for the year eighteen hundred and seventy-one.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That for the year eighteen hundred and seventy-one, a tax of thirteen cents on every hundred dollars' worth of assessable property in the city of Baltimore, and in like proportion for any greater or less amount, be, and the same is hereby, levied and imposed for the payment of arrears due and for the current expenses of

the Public Schools in the city of Baltimore, as the said expenses shall be ascertained and certified under the authority of the Commissioners of Public Schools.

SEC. 2. And be it enacted and ordained, That the tax hereby levied and imposed shall be collected and paid in the manner prescribed by the laws of the State and the ordinances of the city.

The title was approved and the ordinance declared passed.

The question being upon the passage of the following ordinance—

An ordinance to lay and collect a direct tax for the repair of Highways and Bridges in certain parts of the City of Baltimore, and the necessary grading and masonry required for the construction of the same.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That for the year eighteen hundred and seventy-one, a direct tax of twenty-five cents be, and the same is hereby, levied and imposed on every hundred dollars' worth of assessed value of all houses and lands in the city of Baltimore, lying without the limits of direct taxation and within the exterior limits of the city, and in like proportion for any greater or less amount; and the said direct tax shall be levied and collected in the same manner as is now provided with respect to other direct taxes which the Mayor and City Council are now authorized to impose, and the tenants in possession shall be liable to the payment of said tax upon the premises so occupied by them, without its operating, however, to alter the nature of contracts between landlord and tenant.

SEC. 2. And be it enacted and ordained, That the taxes levied and collected shall be expended under the direction of the City Commissioner, with the approbation of the Mayor, for the purpose of making and repairing such of the public highways and bridges, and the necessary grading and masonry required for the construction of the same within the limits subject to the present assessment, as they may deem most important to the public necessity and convenience.

The title was approved and the ordinance declared passed.

The question being upon the passage of the following ordinance—

An Ordinance to lay and collect a direct tax for the use of the State for the year eighteen hundred and seventy-one.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That for the year eighteen hundred and seventy-one a direct tax of nineteen and one-quarter cents in every hundred dollar's worth of assessable property in the city of Baltimore, and in like proportion for any greater or less amount, corrected by the Appeal Tax Court, pursuant to the Acts of Assembly in such behalf, be, and the same is hereby imposed, to be collected and accounted for at the time and in the manner provided for by such Acts of Assembly, in such funds as the Collector of State taxes shall be authorized to receive by the Acts of Assembly relating to the direct tax imposed for the use of the State.

The title was approved and the ordinance declared passed.

An ordinance making appropriations for the year 1871.

Be it enacted by the Mayor and City Council of Baltimore, That the following shall be, and are hereby, the annual appropriations for the year 1871.

*Expenditures of the several Departments for the year 1871, for which Taxes are to be imposed.*

DIRECT TAX—EXISTING CLAIMS.

One quarter's interest on five million loan, paid by Baltimore and Ohio R. R. Co. in Dec., 1870.....	\$75,000 00	
Bills payable.....	10,600 00	
Temporary loans.....	250,000 00	
Balance to credit of Water Board....	82,459 50	
Due Sinking Funds, (Dec., 1870, collections).....	14,573 56	
Due new City Hall .....	44,084 18	
		<hr/>
		\$476,717 24

## HEALTH DEPARTMENT.

General health.....	5,500 00	
B. C. Fertilizing Co.....	18,000 00	
Cleaning streets and garbage.....	130,000 00	
Nuisances and sewers.....	5,000 00	
Lime and incidentals.....	1,000 00	
Salaries.....	16,000 00	
Marine Hospital.....	9,000 00	
		<hr/>
		\$184,500 00

## FIRE DEPARTMENT.

Appropriation for new house, 1871, \$	40,000 00	
Salaries.....	76,600 00	
Repairs of houses.....	3,000 00	
“ of apparatus.....	2,500 00	
Advertising.....	50 00	
Accidents to men and horses.....	1,000 00	
Feed.....	5,500 00	
Fuel.....	1,500 00	
Furniture.....	1,000 00	
Harness and repairs.....	750 00	
Horse shoeing.....	650 00	
Hose.....	5,000 00	
Horses.....	2,000 00	
Ground rent.....	1,000 00	
Gas light.....	1,200 00	
Insurance.....	100 00	
Medicine.....	300 00	
Oil and grease.....	250 00	
Stationery and printing.....	500 00	
Office expenses.....	300 00	
Water rent.....	250 00	
Miscellaneous.....	1,000 00	
		<hr/>
		\$144,450 00

## OLD MASONIC BUILDING.

Salary, Janitor and Watchman.....	1,800 00
Brooms, Buckets, &c.....	30 00
Water rent.....	20 00



Hauling away coal ashes.....	30 00
Lime and White Washing.....	25 00
Ice for Courts and Offices.....	140 00
Fifty-five tons of Coal.....	440 00
Putting away Coal.. ..	27 50
Five cords Kindling Wood.....	62 50
Cleaning Court Rooms.....	500 00
Gas.....	75 00
Glazing.....	25 00
Repairs of Building.....	25 00
Repairs of Stoves.....	50 00
Incidentals.....	40 00
Taking up and Cleaning Carpets...	50 00

Total.....	<hr/> \$3,340 00
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## COURT HOUSE.

Salary of Sup't and Watchman.....	\$1,800 00
Cleaning Court and Jury Rooms.....	732 00
Hall and Record Building.....	120 00
Repairs to " " .....	100 00
" Furniture.....	40 00
" Stoves.....	100 00
Taking up and putting down Carpets	60 00
White-Washing Rooms.....	75 00
Buckets, Brooms and Brushes.....	30 00
Gas, and Repairs to Fixtures.....	75 00
Water Rent.....	24 00
Ice for Court and Jury Rooms.....	355 00
80 Tons of Coal.....	640 00
Kindling Wood.....	90 00
Putting away Coal and Wood.....	60 00
	<hr/> \$4,301 00

## PORT WARDEN'S DEPARTMENT.

Harbor and back basin.....	\$130,000 00
Repairing wharves.....	10,000 00
" machinery .....	10,000 00
Spring Garden channel.....	3,000 00
Building scows.....	10,000 00
Purchase of Mud Machine .....	7,000 00
Sea wall Main Hospital.....	10,000 00
	<hr/> \$180,00 00

## TELEGRAPH DEPARTMENT.

Salaries.....	\$6,200 00	
Batteries.....	2,200 00	
Repairing machinery and wires.....	1,500 00	
Fuel, light and water.....	150 00	
Printing and stationery.....	125 00	
Incidentals.....	130 00	
Cleaning office.....	72 00	
Purchase of new instruments and switch boards.....	500 00	
		<hr/>
		\$10,877 00

## CITY COMMISSIONER'S DEPARTMENT.

*Amounts due for 1870.*

Shelling Ferry Bar Road.....	103 30
New Central Station.....	72 15
North Avenue Bridge.....	14,820 05
Sewer, Barnes street.....	2,312 00
Broadway Squares.....	18,000 00
Eutaw Squares.....	12,940 00
Damages on account of Flood.....	108 42
Abutments of Charles Street Bridge	1,114 11
Repairs of Bayview Asylum.....	2,678 70
Eastern Spring.....	150 00
Perkins' Spring.....	200 00
Abutments, Decker street Bridge...	12,500 00
Cross street Market Hall. ....	4,572 00
Richmond Market Hall.....	71,882 27
Lafayette Market.....	19,257 95
Belair Market.....	6,247 15
Lexington Market.....	18,718 62
Gutters, Charles, Calvert and Madi- son streets.....	2,000 00
Culvert, Fulton avenue.....	2,000 00
Culvert, Pennsylvania avenue.....	2,000 00
Sewer, Foot of Scott street.....	12,000 00
Repayed streets.....	3,000 00
Paving and Repairing cross streets..	10,000 00
Repairs of Paved streets.....	45,000 00
Repairs of Unpaved streets.....	500 00

Repairs of Bridges.....	5,000 00	
Repairs of Sewers and Traps.....	4,000 00	
Repairs of Lamps.....	3,789 00	
Lamps and Pillars.....	4,000 00	
Flag and Step Stones.....	6,000 00	
Paving City Property.....	2,000 00	
Mount Vernon Squares.....	150 00	
Bridge at Decker streets.....	25,000 00	
Incidentals.....	250 00	
Salaries .....	6,000 00	
Total.....		\$318,365 72

## GENERAL EXPENDITURES.

Expenses of City Council.....	\$40,000 00	
Patapsco River.....	24,600 00	
Tonnage and Wharfage.....	8,000 00	
Public Printing and Advertising		
Ordinances.....	20,000 00	
Rent of Johnson Building.....	6,500 00	
Oil and Gas.....	150,000 00	
Lamplighters.....	30,000 00	
Salaries.....	40,000 00	
Magistrates' Fees.....	4,000 00	
City Property, Insurance, &c.....	7,600 00	
General Expense.....	9,000 00	
Hollins Hall.....	140 00	
Fuel, City Hall.....	500 00	
Mayoralty .....	2,000 00	
Commissioners for Opening Streets..	1,000 00	
Discount on Taxes.....	60,000 00	
Killing Dogs.....	2,000 00	
Parks and Squares.....	1,000 00	
Salaries, City Collector's Office and		
Appeal Tax Court... ..	35,000 00	
City Elections.....	3,000 00	
Ringling Mechanic's Bell.....	100 00	

## GENERAL EXPENDITURES.

Old Defenders.....	100 00
Wilken's Avenue.....	5,000 00
General Licenses.....	1,000 00
Resolutions to be passed.....	15,000 00
Due Hollins Street Hall.....	446 00
Water Board.....	10,000 00
Fire Plugs and Pumps.....	6,000 00
Old Bills.....	1,200 00
<hr/>	
Total.....	\$1,805,736 96

## ESTIMATED RECEIPTS.

Sale of Refuse.....	\$6,000 00
Auction Dues from the State.....	12,000 00
Hire of Dredging Machines.....	6,000 00
City Seal.....	400 00
Tonnage and Wharfage.....	40,000 00
Marine Hospital .....	3,000 00
Broadway and other halls.....	1,200 00
General Licenses.....	23,000 00
Rent of City Property.....	4,000 00
Vaults and Areas.....	2,000 00
Theatricals .....	4,600 00
Permits for Frame Sheds, &c.....	4,000 00
Permits for Bay Windows and Steam Engines.....	400 00
Markets.....	50,000 00
Bills Receivable.....	30,000 00
Due from Jones' Falls Commis- sioners.....	16,008 00
Due from \$53,200 of City Hall Stock issued but not sold.....	48,944 00
Due from \$66,000, 1890 Stock not sold.....	60,720 00
Interest on Pittsburg & Connells- ville Railroad.....	122,630 00
Arrearages of Taxes.....	253,800 00
Balance in Bank.....	398,356 70



Arrearages of Taxes for Opening Streets.....	6,000 00
Total.....	\$1,093,058 70
Net amount required from Direct Tax .....	712,678 26
A Tax of 50 cents upon \$100 upon a basis of \$205,190,976, $\frac{7}{10}$ ths collectable, will produce.....	720,168 41

## CERTAIN EXPENSES.

Superior Court.....	\$23,000 00
Common Pleas Court.....	20,000 00
Orphans' do .....	7,800 00
City Circuit do .....	8,000 00
Baltimore City do .....	22,000 00
Coroners.....	2,000 00
Jail Visitors.....	47,000 00
State Elections.....	2,500 00
Judgments and Suits.....	7,500 00
Removed Cases.....	10,000 00
Salaries of Judges of Supreme Bench.....	2,500 00
Registration .....	20,000 00
Total.....	\$172,300 00
Receipts, Arrearages of Taxes.....	32,900 00
Balance .....	\$139,400 00
A Tax of 9 cents on every \$100, on a basis of \$212,354,756, $\frac{7}{10}$ ths on basis collectable, will produce....	133,783 49

## CRIMINAL COURT.

Estimated Expenditures for 1871...	\$70,000 00
Receipts, Arrearages of Taxes.....	16,450 00
Balance.....	\$53,550 00
A Tax of 4 cents on every \$100, on a basis of \$212,554,756, $\frac{7}{10}$ ths collectable, will produce.....	59,461 93

## STATE POLICE.

Salaries, &c., for 1871.....	\$575,000 00	
Rent of Building.....	2,000 00	
		<hr/>
Total.....		\$577,000 00
Receipts, Arrearges of Taxes.....		150,400 00
		<hr/>
Balance.....		426,600 00
A Tax of $28\frac{1}{2}$ cents on a basis of \$212,354,756, $\frac{7}{10}$ ths collectable, will produce.....		423,147 73

## PUBLIC SCHOOLS.

Salaries of Teachers, Janitors, &c....	\$340,000 00	
Repairs and Cleaning.....	10,000 00	
Books and Stationery.....	20,000 00	
Rents and Ground Rents.....	18,000 00	
Furniture.....	10,000 00	
Fuel.....	12,000 00	
Incidentals.....	5,000 00	
Colored Schools.....	30,000 00	
Under the Supervision of the City Commissioner.		
Due Eastern Female High School..	500 00	
“ for erecting Pub. School No. 12	4,820 50	
“ “ “ “ 17	16,750 00	
Repairs of Public Schools.....	15,000 00	
Total.....		<hr/> \$482,070 50
Receipts, Arrearges of Taxes.....	94,000 00	
Tuition Fees.....	45,000 00	
From State Treasurer.....	150,000 00	
		<hr/>
Balance.....		\$289,000 00
		193,070 50
A tax of thirteen cents on a basis of \$212,354,756—7-10ths collectable will produce.....		193,242 82

## INTERNAL IMPROVEMENTS.

One year's interest on \$4,113,250 30, 5 pr. ct. Stock, and on \$850,000 5 pr. ct. Stock .....	\$289,292 32
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Interest on \$1,000,000.00 loan to the Pittsburg and Connellsville Rail- Road Company.....	60,000 00	
Interest on \$5,000,000.00 loan to Baltimore and Ohio Railroad Co.	300,000 00	
Western Maryland Railroad Stock \$200,000.00.....	12,000 00	
Total.....		\$661,292 32
Receipts, arrearages of Taxes... ..	28,200 00	
From Baltimore and Ohio R.R. Co.	300,000 00	
Dividend “ “ “	260,000 00	
Total.....		\$558,200 00
Balance.....		\$73,092 32

## CITY'S PROPORTION OF ASSESSMENTS FOR OPENING STREETS.

Park Street.....	\$113,479 87	
Calhoun “ .....	572 41	
Mosher “ .....	3,800 00	
Total.....		\$117,852 28

## HIGHWAYS AND BRIDGES.

Estimated Expenditures.....	\$13,000 00	
Receipts, Arrearages of Taxes.....	7,000 00	
Balance.....		7,000 00
A tax of twenty-five cents on a basis of \$6,705,574—7-10ths collectable wil produce.....		11,734 76

## INTEREST ON MISCELLANEOUS STOCK

One Year's Interest on Floating Debt, Old Stock, 225,000.....	\$14,500 00	
One Year's Interest on \$2,000,000.00 Floating Debt.....	120,000 00	
One Year's Interest on Park Im- provement Stock, \$185,723.80...	11,142 43	
One Year's Interest on 5 p.c. Court House Stock, \$137,414.84.....	7,944 89	
Almshouse Stock (1 year's interest).	27,000 00	
One Year's Interest on \$1,000,000.00 City Hall Stock.....	60,000 00	

One Year's Interest on \$700,000.00		
Funded Debt.....	42,000	00
One Year's Interest on Public Park		
Stock, \$555,566.25.....	33,339	75
One Year's Interest on 5,000,000.00		
Water Stock.....	300,000	00
One Year's Interest on Bounty		
Loan \$2,621,421.92.....	157,285	31
		<hr/>
		\$772,213 38
Receipts, arrearages of Taxes ...	70,500	00
From Water Board.....	300,000	00
From Park Commission.....	33,339	75
		<hr/>
		\$403,839 75
A Tax of twenty-five cents on a		
basis of \$212,354,726 7-10th col-		
lectable will produce.....		\$371,620 81
Balance.....		\$368,372 63

## CITY POOR.

Bayview Asylum Trustees.....	60,000	00
Transportation of Poor.....	2,000	00
General Dispensary.....	750	00
Eastern Dispensary.....	750	00
Southern Dispensary.....	750	00
Northeastern Dispensary.....	750	00
Indigent Sick at Universities .....	10,000	00
House of Refuge (\$10,000 from		
Building).....	30,000	00
Widows and Orphans (War of 1812)	600	00
Insurance at Bayview .....	900	00
Poor Improvement Association.....	4,000	00
Special Dispensary.....	750	00
Hibernian School (Refunded).....	236	00
Manual Labor School.....	2,500	00
Boys' Home.....	2,000	00
Childrens' Aid Society.....	1,000	00
Home of the Friendless.....	2,000	00
Aged Men's Home.....	500	00
Aged Women's Home .....	500	00
Union Protestant Infirmary... ..	500	00
St. Vincent's Infant Asylum.....	1,000	00



St. Joseph's Industrial School .....	500 00	
St. Mary's Industrial School.....	5,000 00	
Maryland Institute School of Design	5,000 00	
Deaf and Dumb.....	1,000 00	
Female Christian Home.....	2,000 00	
Eye and Ear Infirmary.....	1,000 00	
Orthopai Free Dispensary.....	500 00	
Baltimore Eye Infirmary and Dis-		
pensary at Maryland University.	1,000 00	
Washington University .....	500 00	
Inebriate Asylum.....	1,000 00	
Union Orphan Asylum .....	500 00	
Total.....		\$139,486 00
Receipts arrearage of taxes.....	\$32,900 00	
Foreign passengers.....	7,000 00	
Total.....		\$39,900 00
Balance.....		\$99,586 00
A tax of six and one-half cents on a		
basis of \$212,354,756 7-10ths col-		
lectable, will produce.....		\$91,621,413 00

## TAX LEVY FOR 1871.

	Basis.	Rate.	Collect'bl	Required.	Prod. upon Tax.
Direct tax.....	\$205,190,976	.50	7-10ths.	\$712,678 26	\$720,168 41
Certain expenses.....	212,354,756	.09	7-10ths.	139,400 00	133,783 49
Criminal Court.....	212,354,756	.04	7-10ths.	53,550 00	59,464 93
State police.....	212,354,756	.28½	7-10ths.	426,600 00	423,647 73
Public Schools.....	212,354,756	.13	7-10ths.	193,070 50	193,242 82
Internal improvements.....	212,354,756	.05	7-10ths.	73,092 32	74,324 16
City poor.....	212,354,756	.06½	7-10ths.	99,586 00	96,621 41
Miscellaneous stock.....	212,354,756	.25	7-10ths.	368,372 63	371,620 81
Opening streets.....	212,354,756	.07	7-10ths.	117,852 28	104,053 87
City Hall Sinking Fund .....	212,354,756	.02	7-10ths.	29,729 66	29,729 66
		1.50		\$2,213,931 65	\$2,206,657 29

The title was approved and the ordinance declared passed.

The Second Branch returned the following ordinance endorsed "passed:"

An ordinance to ascertain the compensation of members of the Council.

On a motion by Mr. Johnson to adjourn, the yeas and nays demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. President, Hudgins, Trippe, Mills, Torsch, Randall, Freeberger, Ehlers. Johnson, and Weaver—10.

*Nays*—Messrs. Bruce, Smyrk, Kernan, Sommerlock, Berry, and Crout—6.

The Branch adjourned until to-morrow afternoon at 5 o'clock

By order,

W. H. COLE, *Clerk.*

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Wednesday, April 5, 1871.

The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Bruce and Bond.

Mr. Trippe presented a petition from John C. Bridges and others, Committee of the Maryland Industrial School for Girls, for an appropriation, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Randall presented a petition from Stonebraker & Co. and others, for extension of the time to remove the railroad track on Howard street, which was read, and on motion of Mr. Mills, referred to the Joint Standing Committee on City Property.

Mr. Crout presented a remonstrance from John Burkheimer and others, against the condemnation of Cook street, from Pennsylvania avenue to Madison avenue, which was read and referred to the Joint Standing Committee on Highways.

Mr. Price presented a memorial from Judge C. W. Pinckney, of the Circuit Court, for an additional window in that court-room, which was read and referred to the Joint Standing Committee on City Property.

On motion of Mr. Smyrk, a committee of two was appointed to invite the Second Branch into convention on a sealed communication from his Honor the Mayor.

The Chair named as the committee—Messrs. Smyrk and Sommerlock.

The two Branches then went into convention, and after remaining therein for some time, the members of the Second Branch returned to their Chamber.

Business being resumed—

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of the *Gold and Stock Printing Telegraph Company*, asking the transfer of certain privileges heretofore granted the American Telegraph Construction Company, with the addition of certain other streets named, to be used for erecting telegraph poles; beg to report, that they have considered the matter, and recommend the adoption of the accompanying ordinance.

S. SANDS MILLS,  
JOHN W. TORSCH.  
J. C. RANDALL,

*First Branch.*

JOHN MILROY,  
WM. H. VICKERY,

*Second Branch.*



An ordinance authorizing the Gold and Stock Printing Telegraph Company to erect telegraph poles in certain streets in the City of Baltimore, and to use the poles of the Fire Alarm Telegraph in the extension of their lines.

Whereas, By ordinance of the Mayor and City Council of Baltimore, passed at the session, A. D. 1870, the American Telegraph Construction Company was authorized and empowered to construct, maintain, and operate a local telegraph line, for the purpose of establishing telegraphic communication between various points in the City of Baltimore, and for this purpose to place telegraph wires and apparatus on the poles of the Police and Fire Alarm Telegraph, and to erect and maintain telegraph poles in various streets in said city of Baltimore, and

Whereas, The Gold and Stock Printing Telegraph Company has purchased the wires, poles, apparatus and effects of said American Telegraph Construction Company, and is desirous of carrying out the purposes and objects proposed by the latter Company, and in order thereto asks the same privileges and authority as given to the said American Telegraph Company, therefore,

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Gold and Stock Printing Telegraph Company be, and it is hereby, authorized and empowered, to construct, maintain, and operate a local telegraph in the City of Baltimore, for the transmission of messages from one part of the city to the other, and for this purpose to place telegraph wires and apparatus on the poles of the Police and Fire Alarm Telegraph, in said city, and also to erect and maintain poles in the following streets in said city, viz: Charles, Fayette, Frederick, Second, South, Light, Lombard, Pratt, Camden, Eutaw, Paca, Aliceanna, Thames, Cambridge, Queen, Essex, Lancaster, Hudson, Binney, Chesapeake, Harris, Ellicott, and Toone streets, and also in Fort avenue, Canton avenue, Eastern avenue, Pennsylvania avenue, Belair avenue, Harford avenue, Wilkens avenue, and Frederick avenue, and in Broadway, provided said Company shall not place poles in front of, or on the pavement of any private residence without first obtaining the consent of the owners and occupants of said residences.

SEC. 2. Be it further enacted and ordained, That the telegraph poles authorized to be erected under the preceding section shall be straight and dressed, and shall be erected in a substantial manner, under the supervision of the City Commissioner, and that the pavements of the city on which said poles shall be erected, shall in all cases be put, by said Company, in as good condition as they were before the erection of said poles.

SEC. 3. Be it further enacted and ordained, That the wires and apparatus of said Company shall be attached to the poles of the Police and Fire Alarm Telegraph in such manner as not to interfere in any respect with the wires or apparatus of the said Police and Fire Alarm Telegraph, and shall be attached to said poles under the supervision of the Superintendent of the Police and Fire Alarm Telegraph. But said Company shall keep all poles to which its wires may be attached in good repair, and the wires so permitted to be attached to the poles of the Police and Fire Alarm Telegraph shall be removed within sixty days after notice shall have been given by the Mayor of said City of Baltimore to said Company, to remove the wires so attached.

SEC. 4. Be it further enacted and ordained, That the privileges by this ordinance granted to said Gold and Stock Printing Telegraph Company are so granted, on condition that the Mayor and City Council of Baltimore may at any time, free of charge, attach the wires and apparatus of the Police and Fire Alarm Telegraph to the poles which may be erected by said Company; and that said Company shall, at all times, send and receive, free of charge, all messages which any of the agents or servants of said Mayor and City Council of Baltimore may desire to send over the telegraph operated by said Company in said City.

SEC. 5. Be it further enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Mills, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

The following message was received from the Second Branch and read.

IN SECOND BRANCH,  
Baltimore, April 5, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Tuesday afternoon next, at 5 o'clock.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

On motion of Mr. Trippe, the Branch non-concurred.

Mr. Crout offered a message to the Second Branch, proposing to go into joint convention for the purpose of electing Jones' Falls Commissioners in place of those elected who have resigned.

On which, the yeas and nays were demanded by Mr. Kernan, resulting as follows :

*Yeas*—Messrs. Ward, Torsch, Price, Sommerlock, Berry, Johnson, Weaver, and Crout—8.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Mills, Kernan, Randall, Freeberger, and Ehlers—10.

The Branch refused to send the message.

Mr. Price proposed a message to the Second Branch, that the Council adjourn from to-morrow (Thursday) evening until Tuesday next, on which the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Smyrk, Ward, Price, Randall, and Freeberger—8.

*Nays*—Messrs. Trippe, Mills, Kernan, Torsch, Sommerlock, Berry, Ehlers, Johnson, Weaver, and Crout—10.

The Branch refused to send the message.



Mr. Smyrk offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to improve the Square of Ground or Park on North Broadway, between Jefferson and McElderry streets, similar to the other Squares or Parks already completed on said street, and that the expense of the same be taken out of the eighteen thousand dollars appropriated by resolution of the Mayor and City Council of Baltimore for the improvement of Parks on North Broadway.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

Mr. Price introduced an ordinance entitled "An ordinance to repeal section 16 of chapter 7, City Code, in relation to party walls, and to add another section thereto," which was read, and on motion of Mr. Price, referred to the Joint Standing Committee on City Property.

Mr. Freeberger introduced the following ordinance, which was read :

An ordinance to provide for the paving of Warner street.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have paved, as provided for in the ordinances of the city, all that part of the bed of Warner street lying between Columbia street and Elbow lane.

SEC. 2. And be it enacted and ordained, That the cost of paving said street as aforesaid shall be assessed on the property binding thereon respectively, as provided in the laws and ordinances authorizing the paving of streets in the city of Baltimore; and the City Commissioner, the Register, and the Collector are hereby authorized and directed to do all acts and things necessary and proper to carry into effect the provision of this ordinance.



SEC. 3. And be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Freeberger offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Barre street, between Paca and Ridgely streets.

On motion of Mr. Berry, the resolution was read a second time, by special order and adopted.

Mr. Crout introduced the following ordinance, which was read :

An ordinance amendatory of section 2 of Article 24 of the Baltimore City Code.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That section 2 of Article 24 of the Baltimore City Code be so amended as to read as follows:

SEC. 2. The Register is hereby authorized and directed to pay annually to the Treasurer of the Association of the Defenders of Baltimore city in the war of 1812 the sum of three hundred dollars, said sum to be by them expended in payment of the expenses of the celebration, in any manner they may see fit, of the anniversary of the battle of North Point.

On motion of Mr. Crout, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Crout proposed a message to the Second Branch, that

the Council go into joint convention on to-morrow (Thursday) evening, at 5½ o'clock, for the purpose of electing Jones' Falls Commissioners in place of those who have resigned.

On which, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Smyrk, Ward, Torsch, Price, Sommerlock, Randall, Berry, Johnson, Weaver, and Crout—13.

*Nays*—Messrs. President, Mills, Kernan, Freeberger, and Ehlers—5.

The message was ordered to be sent.

Mr. Smyrk called up ordinance known as No. 12 on the file, being an ordinance entitled "An ordinance authorizing a contract with the Gas Company of Baltimore for furnishing the city lamps with gas," which was read.

The President offered the following amendment, which was read :

In line 7, section 1, strike out the words "five years," and insert in lieu thereof the words "one year."

The question being on the amendment, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Mills, Kernan, Ward, Sommerlock, Randall, Freeberger, and Ehlers—9.

*Nays*—Messrs. Hudgins, Trippe, Smyrk, Torsch, Price, Berry, Johnson, Weaver, and Crout—9.

The amendment was declared lost.

Mr. Randall offered the following amendment, which was read :

In line 7, section 1, strike out the word "five," and insert in lieu thereof the word "two."

The question being on the amendment, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. President, Mills, Kernan, Ward, Sommerlock, Randall, Freeberger and Ehlers—8.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Smyrk, Torsch, Price, Berry, Johnson, Weaver and Crout—10.

The amendment was declared lost.

Mr. Kernan offered the following amendment, which was read :

In line 7, section 1, strike out the word “five,” and insert in lieu thereof the word “three.”

The question being on the amendment, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. President, Mills, Kernan, Ward, Sommerlock, Randall, Freeberger and Ehlers—8.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Smyrk, Torsch, Price, Berry, Johnson, Weaver and Crout—10.

The amendment was declared lost.

Mr. Kernan offered the following amendment, which was read :

In line 7, section 1, strike out the word “five,” and insert in lieu thereof the word “twenty.”

The question being on the amendment, the yeas and nays were demanded by Mr. Price, resulting as follows :

*Yeas*—None.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Mills, Kernan, Ward, Torsch, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver and Crout—18.

The amendment was declared lost.

On a motion by Mr. Mills to re commit the whole subject to the Joint Standing Committee on Ways and Means, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Mills, Kernan, Sommerlock, Randall, Freeberger, and Ehlers—9.

*Nays*—Messrs. Trippe, Smyrk, Ward, Torsch, Price, Berry, Johnson, and Weaver—8.

The ordinance was declared re-committed to the Joint Standing Committee on Ways and Means.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, April 5, 1871.

*Gentlemen of the Second Branch :*

We respectfully inform you that we have non-concurred in your proposition to go into convention on Thursday (to-morrow) evening, for the purpose of electing Jones' Falls Commissioners in place of those who may have resigned.

By order,

GEO. T. BEALL, JR., *Clerk*.

On motion of Mr. Johnson, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.



Thursday, April 6, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Mr. Bruce.

Mr. Torsch presented a remonstrance from C. D. Slingluff and others, against any further extension of time for removing the railroad track on Howard street, which was read.

Mr. Torsch moved to refer the petition to the Joint Standing Committee on Highways.

On which, Mr. Kernan moved as a substitute to refer the petition to the Joint Standing Committee on City Property.

The question being on the substitute, the yeas and nays were demanded by Mr. Torsch, resulting as follows :

*Yeas*—Messrs. Kernan, Berry, Freeberger, Ehlers, and Weaver—5.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Ward, Torsch, Bond, Price, Sommerlock, Johnson, and Crout—11.

The substitute was declared lost.

In the calling of the above yeas and nays, Mr. Randall was, on motion, excused from voting.

The question recurring on the motion of Mr. Torsch, the petition was declared referred to the Joint Standing Committee on Highways.

Mr. Price presented a petition from P. L. Perkins, to be paid rent of house No. 32 North street, which was read and referred to the Joint Standing Committee on Claims.

Mr. Johnson presented a remonstrance from Hiram Woods and others, against the location of a Park in that section of the city bounded by Jones' Falls, Northern Central Railroad, and Northern avenue, which was read, and on motion of Mr. Johnson, referred to the Joint Special Committee on the purchase of ground for a new Park on John street.

Mr. Torsch, from the Joint Standing Committee on the Fire Department, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on the Fire Department, to whom was referred the petition of Hermann Schnick, asking permission to rebuild a summer kitchen 10x12 feet, at No. 68 Park street, with additional half-story, to be used as a bird-cage, respectfully state that after having investigated the subject they discover, that the privilege, if granted, will in no way interfere with the rights or conveniences of others, and therefore believe the petition should be granted ; they therefore offer the following resolution, and respectfully ask its adoption :

S. SANDS MILLS,  
J. C. RANDALL,  
JOHN W. TORSCH,

*First Branch.*

FREDERICK COOK,  
DANIEL CONSTANTINE,  
J. I. GROSS,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Hermann Schnick to rebuild a summer kitchen 10x12 feet, at No. 68 Park street, with additional half-story to be used as a bird cage ; provided the erection of said kitchen shall in no manner interfere with the rights of any citizen.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Randall, from the Joint Standing Committee on City Property, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on City Property, to whom was referred the memorial of Judge Pinkney, of the Circuit Court of Baltimore city, have given the matter their attention and believe that the request of his Honor should be granted, and therefore ask the adoption of the following resolution :

J. C. RANDALL,  
JOHN F. SOMMERLOCK,  
J. H. FREEBERGER,  
*First Branch.*

JOHN MILROY,  
FREDERICK COOK,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and empowered to have opened two windows on either side of the Judge's stand, in the Circuit Court of Baltimore, and the present window closed; the expense to be paid by the City Register out of any money in the treasury not otherwise appropriated.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

Mr. Crout offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller have gas mains laid on Union street, from Pennsylvania avenue to Druid Hill avenue.

On motion of Mr. Weaver, the resolution was read a second time, by special order, and adopted.

Mr. Weaver called up the ordinance received from the Second Branch, entitled "An ordinance in relation to the paving of Fulton avenue, between Franklin street and North avenue," which was read, the title approved and the ordinance declared passed.

Mr. Price proposed a message to the Second Branch, that

when the Council adjourn this evening, it stand adjourned until Tuesday afternoon next, at 5 o'clock.

The message was ordered to be sent.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was recommitted the ordinance providing for a contract with the city by the Gas Light Company of Baltimore, respectfully report that they communicated to the company their fears that the mains directed to be laid by the second section of the ordinance would be neglected in the future as they had been in the past, and the company responded that they would obligate themselves in the contract to lay all mains that had been directed by resolution hitherto, and would continue to lay mains at the discretion of the Council at the rate of \$15,000 per annum, or the gross amount of \$75,000 in the five years, and would further obligate themselves to lay mains to that amount immediately on the resolution being passed therefor.

Your committee have therefore prepared an ordinance embodying these provisions, and to protect the city beyond all peradventure, have provided that a bond in the penalty of \$75,000 in case of non-compliance with any of the provisions of the second section of this ordinance.

A. C. TRIPPE,  
BENJ. PRICE,  
H. CROUT,

*First Branch.*

H. McCOY,  
WILLIAM H. VICKERY,

*Second Branch.*

The ordinance was declared laid on the table.

The Second Branch returned the ordinance entitled "An



ordinance to change and extend the Port Warden's line in the cove at Canton," with the following amendment:

Add at end of ordinance, "Provided that when the Port Warden's line is so extended, the Abbot Iron Works Company, and all other owners of property binding on the said Port Warden's line, shall, at their own expense, at all times maintain a depth of water, within an area of twenty-feet, outside of the said Port Warden's line, equal to the present depth at the point twenty-five feet beyond the Port Warden's line, as is provided for by virtue of this ordinance."

On motion of Mr. Crout, the Branch concurred in the amendment.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, April 6, 1871.

*Gentlemen of the First Branch:*

We respectfully inform you that we have concurred in your proposition, to adjourn this evening until Tuesday afternoon next, 11th inst., at 5 o'clock.

By order,

GEO. T. BEALL, JR., *Clerk.*

The following resolutions were received from the Second Branch, severally endorsed "adopted:"

Resolution for the erection of fire alarm boxes on Mc-Mechen street and at Gist and Pratt streets.

Resolution for flag-stones opposite Pier No. 12 Light street wharf.

Resolution in relation to garbage on McCulloh street.

Resolution granting permission to George H. Allender & Co. to construct a sewer from the southeast corner of Paca and Hamburg streets to the northeast corner of the same.

Resolution to place an anchorage buoy in the northeast part of the harbor.

The following ordinances were received from the Second Branch, severally endorsed "passed :"

An ordinance to provide for the paving and grading of Spring street, between East Biddle and John streets.

An ordinance in relation to the assessments for benefits of Park street.

An ordinance to repeal section 1 of Baltimore City Code, 1869, title "Ordinance," sub-title "Mayor," and to re-enact the same with amendments.

On motion of Mr. Crout, the Branch adjourned until Tuesday afternoon next, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Tuesday, April 11, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Hudgins presented a petition from Knight & Marchant, to drain the cellars on lots on the north side of Hampstead street, and between Washington and Castle streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Trippe presented a remonstrance from Chas. Reeder, against permission being given to Messrs. Baker Bros. & Co. to extend two piers into the harbor, which was read and referred to the Joint Standing Committee on the Harbor.

Col. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a message from his Honor the Mayor.

On motion of Mr. Smyrk, the amendment made by the Second Branch to the ordinance entitled "An ordinance to change and extend the Port Warden's line in the cove at

Canton, [see page 539 First Branch Journal] and which was concurred in by this Branch, was reconsidered.

Mr. Smyrk proposed the appointment of a committee of conference of three members from each Branch on the disagreeing votes of the two Branches in relation to the said amendment, and offered a message to the Second Branch to this effect.

The message was ordered to be sent.

The Chair named as the committee on the part of this Branch—Messrs Smyrk, Johnson and Randall.

Mr. Bond presented a remonstrance from J. Hanson Thomas and others, of the Academy of Music, against the extension of the time for the removal of the track on North Howard street, which was read.

Mr. Kernan moved to refer the petition to the Joint Standing Committee on City Property, on which Mr. Torsch moved as a substitute, to refer it to the Joint Standing Committee on Highways.

The question being on the substitute, the yeas and nays were demanded by Mr. Kernan, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—19.

*Nays*—Mr. Kernan—1.

The petition was declared referred to the Joint Standing Committee on Highways.

On motion of Mr. Bond, the petition having reference to the removal of the track on Howard street, heretofore referred to the Joint Standing Committee on City Property, was ordered to be withdrawn from said committee and referred to the Joint Standing Committee on Highways.

Mr. Smyrk presented a petition from H. B. Hanna and others, against the erection of the Johns Hopkins Hospital, which was read and referred to the Joint Standing Committee on Highways.

Wm. Robertson, Esq., Secretary to the Mayoralty, appeared at the bar of the Branch with a communication from his Honor the Mayor.

The President presented the following communication from his Honor the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, April 10, 1871.

*To the Honorable the Members of the  
First and Second Branches of the City Council :*

GENTLEMEN—

“ An ordinance to ascertain the compensation of members of the Council ” has been submitted for my official sanction. Heretofore upon this subject, couched in another form, I had the honor to say that, in the light of my personal information, I am aware of the utter inadequacy of the “ per diem ” of your members, as a compensation for their public service. Indeed, I am satisfied that there are no public officials in the land, receiving pecuniary consideration for public duties, whose pay is so disproportioned to the service rendered, as is the “ per diem ” of Councilmen of Baltimore City—\$1.50—for the arduous duties performed by them—especially on committee service.

With these opinions, it will be well understood with what reluctance I confess myself not persuaded as to the legality of this measure, by the report of your committee. I am fully aware of the professional ability of members of that committee, but am still convinced that the views given me originally by my official legal advisers, are correct.

The City Charter says “ They ” (the Council) “ shall ascertain, by ordinance, the compensation of their services, which shall not be increased during their continuance in



office." To obviate the force of this language the committee take the position that "a new Council meets every year, wholly distinct, as to its official acts, from the preceding one," and thus, that it is not only competent for, but the *duty* of the Council, every year, to ascertain the compensation of members by ordinance. But this is surely not tenable; for the consequence would be that—as there has been no ordinance since that of the 20th of January, 1826, (re-enacted June 5, 1858, and in 1869, when the City Code was adopted), which fixed the compensation of members at \$1.50 for each day of attendance—there has been no law on the subject since the year 1826, and that ever since members have been paid without any authority of law; and all succeeding Councils, for nearly half a century, have not complied with the direction: "They shall ascertain by ordinance the compensation of their services."

To my mind there is no doubt that such members were lawfully paid; according to their right, they accepted the ordinance of 1826, and received pay under its provisions. The ordinance professed to govern their compensation, and by acting under it, they gave to it the force of law to themselves. Such has been the construction for forty-five years. In similar cases, long legislative practice is an acknowledged principle of interpretation, however debatable the point might have been originally.

The members of the Second Branch of this Council acted, during last year, under the ordinance of 1826, re-enacted as above mentioned. They have accepted pay under its provisions. They are a Branch of the City Council, and unless "their continuance in office" ceased last October, the ordinance before me violates the restriction that their pay "shall not be increased during their continuance in office."

How can it be said that their continuance in office terminated then? Does not the Constitution, as well as the City Charter, provide that they shall be elected for two years? Do they take the oath of office annually? Is it competent for any member of the Second Branch to accept another office during the term for which he was elected? and does not that term last for two years?

I am thus of opinion that the members of the Second Branch are disqualified to increase their pay over what they accepted last year; and that their disqualification renders this ordinance invalid. Accordingly, with regret, I return it to your Honorable Body without my approval.

Under a sense of duty, I have also the honor to return, without my official sanction, "An ordinance to repeal section one of Baltimore City Code, eighteen hundred and sixty-nine, title 'Ordinances,' sub-title 'Mayor,' and to re-enact the same with amendments."

As in the case of the "per diem" of members of the Council, so in this, I am free to say that I regard the salary of the Mayor of Baltimore—\$3,000 per annum—an inadequate compensation for the character of the public service which attaches to his office; and the time which he *must* devote to the careful and proper discharge of that service. The custom of other leading cities of the country, in their government, implies the same opinion. For instance, the salary of the Mayor of New York City is \$13,500; of Philadelphia \$5,000; of Boston \$5,000; of Cincinnati \$4,000; and of Pittsburg \$8,000. Notwithstanding this, however, believing the present a very inopportune moment for the adoption of the measure, I am constrained to withhold from it my official approval.

Very respectfully,

ROBERT T. BANKS, *Mayor*.

On motion of Mr. Johnson, the vote by which the ordinance in relation to the per diem of members of the Council was passed, was reconsidered.

Mr. Johnson moved to lay the ordinance on the table.

The motion was declared lost.

The question being, shall the engrossed bill pass notwithstanding the objections of his Honor the Mayor, the yeas and nays were demanded by the President, resulting as follows:

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—18.

*Nays*—Messrs. President and Bond—2.

Under the rules of the Branch, three-fourths of the members having voted in the affirmative, the ordinance was declared passed, the objections of his Honor the Mayor to the contrary notwithstanding.

On motion of Mr. Berry, the vote by which the ordinance increasing the Mayor's salary was passed, was reconsidered.

The question being, shall the engrossed bill pass notwithstanding the objections of his Honor the Mayor, the yeas and nays were demanded by the President, resulting as follows:

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—19.

*Nays*—Mr. President—1.

Under the rules of the Branch, three-fourths of the members having voted in the affirmative, the ordinance was declared passed, the objections of his Honor the Mayor to the contrary notwithstanding.

Mr. Kernan, from the Joint Standing Committee on Bridges, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Bridges, to whom was recommitted the resolution repealing resolution No. 234, (being a resolution to purchase Gwynn's Falls bridge, approved Oct. 25, 1870) respectfully report that after having carefully investigated the subject, they are unable to discover that it would at all be advantageous to the interest of the city of Baltimore to purchase said bridge; they there-

fore offer the following resolution, and respectfully ask its adoption :

THOS. P. KERNAN,  
JOHN F. SOMMERLOCK,  
JOHN M. HUDGINS,

*First Branch.*

A. W. DUKE,  
WM. H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That resolution No. 234, approved Oct. 25, 1870, being a resolution for the purchase of Gwynn's Falls bridge, be, and the same is hereby, repealed.

On motion of Mr. Kernan, the resolution was read a second time, by special order, and adopted.

Mr. Mills offered the following resolution, which was read :

Resolved by both Branches of the City Council of Baltimore, That a Joint Special Committee be appointed, to consist of two members from each Branch, who shall at once consider and report to this Council some plan by which the city of Baltimore can protect itself and its citizens against the extortionate demands of the gas monopoly, which has obtained possession of its streets; whether such plan be to encourage by proper inducements the formation of another company willing to furnish the corporation with gas at fixed and reasonable rates, or the assumption by the city of the manufacture of the gas needed for its lighting purposes.

On motion of Mr. Mills, the resolution was read a second time, by special order.

The question being on the adoption of the resolution, the yeas and nays were demanded by Mr. Bond, resulting as follows :



*Yeas*—Messrs. President, Bruce, Mills, Bond, Sommerlock, Freeberger, and Ehlers—7.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Smyrk, Kernan, Ward, Torsch, Price, Randall, Berry, Johnson, and Weaver—12.

The resolution was declared lost.

Mr. Bond offered the following resolution, which was read :

Whereas, it is of vital importance to the successful completion of any plan which may be determined upon for the improvement of Jones' Falls, that it should possess the confidence and moral support of the community, and more especially of the tax-payers thereof, on whom must fall the expense incurred by such improvement.

And whereas, the popular distrust of the present plan has been unmistakably evinced, not only in the dissatisfied tone of the public press, the channel through which public sentiment generally makes itself heard, but also in the protest of thousands of our best citizens, presented to this Council against the same.

And whereas, the last feasible effort at compromise has failed, with the recent failure of this Council to obtain and retain a commission satisfactory to the community, in whose decision as to the various contested features of the present plan our citizens would acquiesce.

And whereas, it is our imperative duty to adopt and see carried at once into effect some plan which will secure the lives and property of our people against possible flood, and if the plan known as "Tyson's Plan," does not meet the wishes of the public, and therefore cannot be carried out, to select some other which can ; therefore, be it

Resolved by both Branches of the City Council of Baltimore, That the Joint Standing Committee on City Property be, and is hereby, instructed to consider and report to this

Council an ordinance submitting, at some early day to the legal voters of the city of Baltimore, the question whether the present plan for the improvement of Jones' Falls shall be proceeded with, or whether the same shall be abandoned, and some other plan substituted therefor.

The resolution was declared laid on the table.

On motion of Mr. Trippe, the ordinance known on the file as No. 13, being the ordinance in relation to a gas supply for the city, was made the order of the day for Wednesday afternoon, at 5½ o'clock.

On motion of Mr. Ehlers, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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## Wednesday, April 12, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq.; President, and all the members.

Mr. Johnson presented the following communication, which was read:

U. S. ENGINEER OFFICE,  
Baltimore, Md. April 8, 1871.

*J. G. Johnson, Esq.,*

*Chairman of Harbor Committee:*

SIR:—Some time ago I promised to furnish your Harbor Committee certain information concerning the cost of channels of given widths and depths, to give access from the bay to your basin.

The wind and rain of March delayed the survey somewhat, but I am now able to give some data, which are herewith submitted, in the hope that they may be found useful.

Very respectfully yours,

WM. P. CRAIGHILL,

*Maj. of Eng., Brev. Col.*

## CRAIGHILL CHANNEL.

WIDTH.	DEPTH.	DOLLARS.
300 feet.	21 feet.	\$21,600
" "	23 "	54,000
" "	25 "	212,000
500 "	21 "	56,000
" "	23 "	156,000
" "	25 "	300,000

## BREWERTON CHANNEL.

WIDTH.	DEPTH.	DOLLARS.
200 feet.	21 feet.	\$106,400
" "	23 "	244,000
" "	25 "	440,000
300 "	21 "	208,800
" "	23 "	492,000
" "	25 "	736,000
500 "	21 "	430,000
" "	23 "	892,000
" "	25 "	1,461,000

## FROM END OF BREWERTON CHANNEL TO FORT M'HENRY.

WIDTH.	DEPTH.	DOLLARS.
200 feet.	21 feet.	\$10,500
" "	23 "	55,500
" "	25 "	130,800
300 "	21 "	15,900
" "	23 "	83,000
" "	25 "	196,200
500 "	21 "	27,000
" "	23 "	138,600
" "	25 "	327,000

To give a channel 24 feet deep at mean low water, of widths as follows:

Craighill Channel .....400 feet.  
 Brewerton " .....250 "

from end of Brewerton to Fort McHenry, 250 feet, will cost \$757,000.

To give a channel of the same *widths* as just stated, but of a depth of 23 feet, will cost \$542,000.

I regard these *widths* as the smallest with which a great city like Baltimore should be satisfied. As to the *depths*, I have nothing to say, except that to obtain the depth of even 25 feet, though costly, would be probably the most remunerative in the end to the city.

Any further information will be furnished with pleasure.

WM. P. CRAIGHILL.

On motion, the communication was referred to the Joint Standing Committee on Ways and Means.

The President presented an invitation from Louis McLane, Committee, to visit Druid Hill Park, on Saturday, the 15th inst., at 11 o'clock, A. M., carriages to be in attendance at the Mayor's office at 10.30 A. M., which was read, and on motion of Mr. Berry, the invitation was accepted.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the ordinance authorizing a contract with the Gas Company of Baltimore for furnishing the city lamps with gas, the President accordingly announced the special order of the day, which was read.

Mr. Mills offered the following amendment, which was read:

In section 1, line 7, strike out the words "five years," and insert the words "one year."

Pending the discussion of the amendment, Mr. Mills moved to re-commit the whole subject to the Joint Standing Committee on Ways and Means, on which Mr. Trippe demanded the yeas and nays, resulting as follows:

Yeas—Messrs. President, Smyrk, Mills, Bond, Sommerlock, Randall, Freeberger, and Ehlers—8.



*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Kernan, Ward, Torsch, Price, Berry, Johnson, Weaver, and Crout—12.

The Branch refused to re-commit.

On a motion by Mr. Bond to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Smyrk, Mills, Bond, Sommerlock, Randall, Freeberger, and Ehlers—10.

*Nays*—Messrs. Trippe, Bruce, Kernan, Ward, Torsch, Price, Berry, Johnson, Weaver, and Crout—10.

The Branch refused to adjourn.

On a motion by Mr. Bond to lay the subject on the table, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Mills, Bond, Sommerlock, Randall, Freeberger, and Ehlers—7.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Berry, Johnson, Weaver, and Crout—13.

The Branch refused to lay the subject on the table.

The question recurring on the adoption of the amendment offered by Mr. Mills, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :

*Yeas*—Messrs. President, Bruce, Smyrk, Mills, Bond, Sommerlock, Randall, Freeberger, and Ehlers—9.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Kernan, Ward, Torsch, Price, Berry, Johnson, Weaver, and Crout—11.

The amendment was declared lost.

Mr. Randall offered the following amendment, which was read:

In section 1, line 7, strike out the word "five," and insert the word "two."

Mr. Trippe offered the following as a substitute for the amendment, which was read:

To come in at the end of the 1st section, "Provided, however, that if at any time during the continuance of the contract provided for in this ordinance, any gas company of this city with mains laid through its streets, and in actual operation, shall *bona fide* obligate itself to contract with the city for the supply of its lamps with gas at a less rate than that specified in this ordinance, then the city shall be absolved from all obligations under the contract entered into hereunder on the passage of an ordinance providing for the annulment of said contract, provided the city shall pay to said Gaslight Company of Baltimore the actual cost of all mains laid in pursuance of this ordinance."

Mr. Trippe asked permission to withdraw the substitute, and objection being made thereto, the question was laid before before the Branch, on which Mr. Bond demanded the yeas and nays, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—20.

*Nays*—None.

The substitute was withdrawn.

On a motion by Mr. Weitzell to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Mills, Bond, Sommerlock, Randall, Freeberger, and Ehlers—8.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Kernar, Ward, Torsch, Price, Berry, Johnson, Weaver, and Crout—12.

The Branch refused to adjourn.

Mr. Price offered the following as a substitute for the amendment, which was read :

Provided, however, if at any time during the continuance of the contract provided for in this ordinance, any gas company of this city, or any company that may be established herein, either by its own capital, or by the assistance of the city, or otherwise, shall have laid gas mains, and shall be prepared to furnish gas in any portion of the city, the city may rescind the contract aforesaid with the Baltimore Gas Light Company, to the extent that said company shall be able to contract and furnish gas aforesaid ; and the city shall pay back to said Baltimore Gas Light Company the amount they may have expended, in that portion of the city, for the mains they may have laid under the provisions of ordinances heretofore passed, and not complied with, and all other ordinances and resolutions that may be passed during the continuance of the contract.

On a motion of Mr. Bond to lay the substitute on the table the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Mills, Bond, Randall, Freeberger, and Ehlers—6.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Sommerlock, Berry, Johnson, Weaver, and Crout—14.

The Branch refused to lay on the table.

The question being whether the substitute should take the place of the pending amendment, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Sommerlock, Berry, Johnson, Weaver, and Crout—13.

*Nays*—Messrs. Mills, Bond, Randall, Freeberger, and Ehlers—5.

The substitute was declared to take the place of the amendment offered by Mr. Randall.

On a motion by Mr. Sommerlock to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Mills, Bond, Sommerlock, Randall, Freeberger, and Ehlers—7.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Berry, Johnson, Weaver, and Crout—12.

The Branch refused to adjourn.

The question recurring upon the adoption of the former substitute now amendment, Mr. Bond offered the following amendment to the amendment, which was read :

In Mr. Price's amendment, strike out the words "shall have laid gas mains, and shall be prepared to furnish gas in any portion of the city."

The question being on the amendment of Mr. Bond to the amendment, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Mills, Bond, Randall, and Freeberger—5.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Berry, Johnson, Weaver, and Crout—12.

The amendment to the amendment was declared lost.

On a motion by Mr. Mills to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows :



*Yeas*—Messrs. President, Mills, Randall, and Freeberger—4.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Bond, Price, Berry, Johnson, Weaver, and Crout—13.

The Branch refused to adjourn.

The question recurring on the adoption of the amendment of Mr. Price, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Berry, Johnson, Weaver, and Crout—12.

*Nays*—Messrs. President, Mills, Bond, Randall, and Freeberger—5.

The amendment was declared adopted.

On a motion by Mr. Bond to postpone the further consideration of the subject, and make it the order of the day for to-morrow (Thursday) afternoon, at 5½ o'clock, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Smyrk, Mills, Kernan, and Randall—5.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Ward, Torsch, Bond, Price, Berry, Freeberger, Johnson, Weaver, and Crout—12.

The Branch refused to postpone.

On a motion by Mr. Randall to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Smyrk, Mills, Kernan, Randall, Freeberger, and Crout—7.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Ward, Torsch, Bond, Price, Berry, Johnson, and Weaver—10.

The Branch refused to adjourn.

On a motion by Mr. Bond to indefinitely postpone the whole subject, the yeas and nays were demanded by Mr. Bond.

Pending the call, Mr. Mills appealed from the decision of the Chair, in admitting the motion of Mr. Bond after a motion to adjourn.

The question being, "Shall the decision of the Chair be sustained?" the yeas and nays were called with the following result:

*Yeas*—Messrs. Hudgins, Bruce, Smyrk, Kernan, Ward, Torsch, Randall, Berry, Freeberger, Johnson, Weaver, and Crout—12.

*Nays*—Messrs. Mills and Price—2.

The decision of the Chair was declared to be the decision of the Branch.

Mr. Price moved to strike out the word "indefinitely," and insert in lieu thereof "that the subject be made the order of the day for to-morrow (Thursday) afternoon, at 5½ o'clock," on which Mr. Johnson demanded the yeas and nays, resulting as follows:

*Yeas*—Messrs. President, Mills, Kernan, Bond, Price, Randall, Freeberger, and Crout—8.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Berry, Johnson, and Weaver—9.

The motion was declared lost.

On a motion by Mr. Berry to adjourn, the yeas and nays were demanded by Mr. Trippe, resulting as follows:

*Yeas*—Messrs. President, Randall, Berry, and Crout—4.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Price, Freeberger, Johnson, and Weaver—13.

The Branch refused to adjourn.

On a motion by Mr. Price to strike out the word "indefinite," and insert in lieu thereof "5 $\frac{3}{4}$  o'clock to-morrow (Thursday) afternoon," the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Bruce, Smyrk, Mills, Kernan, Ward, Bond, Price, Randall, Berry, and Crout—12.

*Nays*—Messrs. Trippe, Torsch, Freeberger, Johnson, and Weaver—5.

The ordinance was made the order of the day for to-morrow afternoon, at 5 $\frac{3}{4}$  o'clock.

On motion of Mr. Bond, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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Thursday, April 13, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Bond presented a petition from Joshua Register, to sink a well in the twelve-foot alley in rear of lot corner of Hollins street and Vincent alley, which was read and referred to the Joint Standing Committee on Water.

Mr. Mills presented an invitation from Wm. Hoffman, to visit Columbia street, between Paca and Green streets, and examine the present condition of said street, which was read and referred to the Joint Standing Committee on Health.

Mr. Weaver presented a petition from Chas. J. Baker, Trustee, and others, for an appropriation of \$19,000 to complete tunnel on Fulton avenue, which was read and referred to the Joint Standing Committee on Highways.

Mr. Weaver presented a petition from A. B. Magruder and others, for the passage of an ordinance forbidding the owners and drivers of stock from passing through Lexington street, which was read and referred to the Joint Standing Committee on Health.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, April 13, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition to appoint a committee of conference on the disagreeing vote of the two Branches in relation to the amendment offered to the ordinance to change and extend the Port Warden's line in the cove at Canton, and name on the Part of this Branch on said committee, Messrs. Duke, Constantine and McCoy.

By order,

GEO. T. BEALL, JR., *Clerk.*

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, April 13, 1871.

*Gentlemen of the First Branch :*

We respectfully ask for the return of the ordinance making the appropriation for the Eye and Ear Infirmary at the Maryland Hospital.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Berry, the Branch concurred.

Mr. Bond proposed a message to the Second Branch, that when the Branch adjourn this evening, it stand adjourned until Monday next, at 5 o'clock.



The message was ordered to be sent.

Mr. Crout presented a petition from Richard Holmes, for permission to erect a frame bath-house in the rear of his house No. 171 Pennsylvania avenue, which was read and referred to the Joint Standing Committee on Police and Jail.

The President presented an invitation from G. Reuling, M. D., to visit the Maryland Eye and Ear Infirmary, Friday morning, April 14, at 10 o'clock A. M., which was read, and on motion of Mr. Torsch, accepted.

Mr. Trippe presented a communication from Jno. P. Poe and others, committee of conference of Board of Public School Commissioners, in reference to the purchase or lease of the property known as the Winan's Chapel, on Raborg street, near Fremont, for the use of Colored Public School No. 7, which was read and referred to the Joint Standing Committee on Education.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, April 13, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition, to adjourn this evening until Monday afternoon next, at 5 o'clock.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Wm. Carr and James Moore, asking permission to construct a sewer at 155 South Castle street, to the distance of 80 feet south, for the purpose of

draining the cellar of said building, beg leave to report the following resolution and ask its adoption :

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
WILLIAM H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That Messrs. Wm. Carr and James Moore be, and they are hereby, authorized to construct a sewer from the building No. 155 S. Castle street, to the distance of 80 feet south, for the purpose of draining cellars ; the expense attending the same to be defrayed by the said Messrs. Carr and Moore, who are hereby required to have the street put in proper repair on the line of the sewer, providing it does not extend beyond the gutter.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The Second Branch returned the ordinance in relation to the compensation of members ; also, the ordinance increasing the salary of the Mayor, respectively endorsed "read and passed, the objections of his Honor the Mayor to the contrary notwithstanding."

The Second Branch returned the several ordinances making the tax levy for the year 1871, severally endorsed "passed."

The Second Branch returned the ordinance making the appropriations for the various departments for the year 1871, with the following amendment, which was read :

Strike out the appropriation for the Port Warden's Department, and refer the same to the Joint Standing Committee on the Harbor.

On motion of Mr. Johnson, the Branch concurred.

The hour of 5 $\frac{3}{4}$  o'clock having arrived, being the hour for the consideration of the ordinance authorizing a contract with the Gas Company of Baltimore for furnishing the city lamps with gas, the President accordingly announced the special order of the day, which was read.

The President offered the following amendment, which was read :

In section 1, line 16, strike out the words "forty-five dollars per 2,300 hours," and insert in lieu the words "forty dollars per 3,200 hours."

Mr. Trippe offered the following as an amendment to the amendment, which was read :

In section 1, line 16, after the word "of," strike out to end of section, and insert "fifty dollars or less per annum for the gas consumed in each city lamp, no charge or claim to be made by said company for any excess of consumption therein, and the company to pay government tax on gas consumed."

The question being, shall the amendment take the place of the amendment, the yeas and nays were demanded by the President, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Berry, Johnson and Weaver—12.

*Nays*—Messrs. President, Mills, Bond, Sommerlock, Freeberger, Ehlers, and Crout—7.

The amendment of Mr. Trippe was declared substituted for the amendment of the President.

On a motion by Mr. Bond to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Mills, Bond, Sommerlock, Freeberger, and Ehlers—7.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Berry, Johnson, Weaver, and Crout—12.

The Branch refused to adjourn.

The question recurring upon the adoption of the amendment of Mr. Trippe, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Berry, Johnson, Weaver, and Crout—13.

*Nays*—Messrs. President, Mills, Bond, Sommerlock, Freeberger, and Ehlers—6.

The amendment was declared adopted.

Mr. Mills offered the following amendment, which was read :

In section 1, line 7, strike out the word “five,” and insert the word “three.”

The question being on the amendment, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Mills, Bond, Sommerlock, Freeberger, Ehlers, and Crout—7.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Berry, Johnson, and Weaver—12.

The amendment was declared lost.



Mr. Bond offered the following amendment, which was read :

In section 1, line 7, strike out the word "five," and insert "three and a half years."

The question being on the amendment, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Mills, Bond, Sommerlock, Freeberger, Ehlers, and Crout—7.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Berry, Johnson, and Weaver—12.

The amendment was declared lost.

On a motion by Mr. Ehlers to adjourn, the yeas and nays were demanded by Mr. Bond.

On Mr. Sommerlock asking to be excused from voting, and objection being made by Mr. Bond, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Freeberger, Johnson, Weaver, and Crout—13.

*Nays*—Messrs. Mills, Bond, Price, Berry, and Ehlers—5.

Mr. Sommerlock was declared excused from voting.

The question recurring on the motion to adjourn, the yeas and nays resulted as follows :

*Yeas*—Messrs. President, Weitzell, Mills, Kernan, Bond, Freeberger, Ehlers, and Crout—8.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Berry, Johnson, and Weaver—10.

The Branch refused to adjourn.

On a motion by Mr. Mills to lay the whole subject on the table, and make it the special order of the day for next Monday afternoon, at 5½ o'clock, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Berry, Ehlers, Johnson, Weaver, and Crout—18.

*Nays*—Mr. Freeberger—1.

The motion was declared adopted.

On motion of Mr. Ehlers, the Branch adjourned until Monday afternoon next, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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Monday, April 17, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Bond presented a petition from John D. Danels, Jr., and others, for the diversion of Jones' Falls, which was read, and, on motion of Mr. Bond, referred to Benj. H. Latrobe, Esq., engineer of the Jones' Falls improvement, for examination and report.

Mr. Berry presented a petition from John S. Spies, for the paving and grading of Hull alley, which was read and referred to the Joint Standing Committee on Highways.

Mr. Freeberger presented a petition from C. F. Wortman, for permission to sink a pump on premises corner of Cross and Scott streets, which was read, and referred to the Joint Standing Committee on Water.

Mr. Freeberger presented a petition from Adam Schaeffer and others, for permission to construct a sewer from the northeast corner of Hamburg street and Burgundy alley, which was read, and referred to the Joint Standing Committee on Highways.

The President presented a remonstrance from Francis Kenney and others, against the re-erection of Hayard, Tulic & Dowel's chemical works, at Canton, which was read and referred to the Joint Standing Committee on Fire Department.

The President presented a communication from Charles P. Kahler, City Surveyor, asking payment for work done on the Jones' Falls improvement, which was read, and, on motion of Mr. Kernan, referred to the Joint Standing Committee on Ways and Means.

The President presented an invitation from John R. Key and others, to attend an exhibition of the paintings of Baltimore artists, at Butler & Perrigo's, at 8 o'clock tomorrow evening, which was read, and on motion of Mr. Johnson, accepted.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the ordinance authorizing a contract with the gas company of Baltimore for furnishing the city lamps with gas, the President accordingly announced the special order of the day, which was read.

Mr. Mills offered the following amendment, which was read:

Amend section 1 as follows:

Insert after the word "Mayor," in the second line, "and the Presidents of the First and Second Branches are," &c.

Mr. Price offered the following amendment to the amendment, which was read :

In section 1, line 2, after the word "Mayor," insert "City Comptroller and City Commissioner are"—

The question being shall the amendment take the place of the amendment, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Sommerlock, Randall, Berry, Johnson, Weaver, and Crout—16.

*Nays*—Messrs. Mills, Bond, Freeberger, and Ehlers—4.

The amendment of Mr. Price was declared substituted for the amendment of Mr. Mills.

Pending the discussion of the amendment, on motion of Mr. Trippe, the vote by which the Branch refused to recommit, on April 12th, was reconsidered.

Mr. Trippe moved to recommit the whole subject to the Joint Standing Committee on Ways and Means, on which—

Mr. Bond offered the following resolution of instructions to the committee :

Resolved by the First Branch of the City Council of Baltimore, That the Committee on Ways and Means be instructed to inform the Gas Light Company that this Branch will not accede to any greater demand than that made by the Gas Light Company of Baltimore for last year for furnishing gas to this city.

The question being on the resolution of instruction, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Mills, Kernan, Bond, Freeberger, and Ehlers—6.



*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Sommerlock, Randall, Berry, Johnson, Weaver, and Crout—14.

The resolution was declared lost.

The question recurring on the motion to recommit, the ordinance and amendments to the same were declared re-committed to the Joint Standing Committee on Ways and Means.

Mr. Bruce offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Clerk of this Branch be, and he is hereby, authorized and directed to withdraw from the files in the Register's office all papers in relation to the opening of Lexington street through to Douglass street.

Mr. Torsch, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on the Fire Department, to whom was referred the petition of J. H. B. Latrobe and others, of the Maryland Academy of Art, for the construction of frame building for works of art, are of the opinion that the privilege asked for should be granted, as it in nowise interferes with the rights of citizens ; also, as an encouragement to art and artists of Baltimore, they therefore offer the following resolution :

S. SANDS MILLS,  
J. C. RANDALL,  
JOHN W. TORSCH,

*First Branch.*

FREDERICK COOK,  
DANIEL CONSTANTINE,  
J. I. GROSS,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to the Board of Directors of the Maryland Academy of Art to con-

struct a frame building, 28 by 60 feet, in rear of their buildings on Mulberry street, for the purpose of depositing works of art, such as statuary, casts, &c., as studies for students of the academy.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

Mr. Torsch offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Clerk of this Branch be, and he is hereby, authorized and directed to withdraw from the files in the Registers's office the petition for the sewer through Liberty street, which was presented to the Council in 1868.

Mr. Bond introduced an ordinance entitled an ordinance to prevent the running at large of worthless dogs, which was read and referred to the Joint Standing Committee on Police and Jail.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to pay for the grading, curbing, and paving of the intersections of St. Paul and Chase streets, and of Chase street and Hargrove alley, out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Bond, the resolution was read a second time, by special order, and on motion of Mr. Crout, referred to the Joint Standing Committee on Highways.

Mr. Price introduced an ordinance entitled an ordinance for the benefit of Druid Hill Park, which was read and referred to the Joint Standing Committee on Parks.

Mr. Price offered a resolution in reference to the condemnation of land in Druid Hill Park, which was read and referred to the Joint Standing Committee on Parks.

Mr. Berry offered the following resolution, which was read.

Resolved by the Mayor and City Council of Baltimore, That permission be, and is hereby, granted to Wm. I. Lloyd, to erect a brick stable 25 by 73 feet, at No. 5 Perry street, between Charles and Hanover streets.

On motion of Mr. Berry the resolution was read a second time by special order, and adopted.

Mr. Mills called up resolution page 487 First Branch Journal, appropriating \$50,000 for the building of a bridge across Jones' Falls at John street, and—

On motion of Mr. Mills the resolution was referred to the Joint Standing Committee on Bridges.

The Second Branch returned the following resolutions, severally endorsed "adopted."

Resolution in favor of Herman Schnick.

Resolution repealing resolution for the purchase of Gwynn's Falls.

Resolution authorizing Wm. Carr & Co. to construct a sewer.

Resolution for gas main on Barre street.

Resolution for gas main on Union street.

Resolution for the improvement of North Broadway.

Resolution for constructing windows in Circuit Court room.

The Second Branch returned the following ordinances severally endorsed "passed."

An ordinance for the paving of Warner street, between Columbia street and Elbow lane.

An ordinance appropriating \$300 for the Old Defenders' Association.

An ordinance granting the Gold and Stock Printing Telegraph Company certain privileges.

On motion of Mr. Kernan, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

WM. H. COLE, *Clerk.*

Tuesday, April 18, 1871.

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The Branch met pursuant to adjournment.

Present—All the members except the President, George W. Bishop, Esq., and Mr. Smyrk.

In the absence of the President—

On motion of Mr. Berry, Mr. Mills was called to the Chair.

Mr. Johnson presented a communication from G. Altwater, M. D., Physician at the Marine Hospital, in reference to the inadequate supply of water at the Hospital, and the purchase of a tug-boat for the use of the boarding officer and conveying sick to the Hospital, which was read and referred to the Joint Standing Committee on Health.

Mr. Johnson presented a petition from Isaac E. Stewart and others, for an additional lamp-lighter in the Western District, which was read and referred to the Joint Standing Committee on Police and Jail.

Mr. Mills presented a petition from A. J. Saulsbury and others, for the opening of certain streets through the grounds of the Maryland Hospital, which was read and referred to the Joint Standing Committee on Highways.

Mr. Mills presented the following communication from B. H. Latrobe, which was read :

*To the Honorable the First Branch  
of the City Council of Baltimore :*

The undersigned, having had referred to him by your Honorable Body a memorial from citizens, suggesting a plan for the diversion of Jones' Falls, with a request that he would examine and report upon it, begs leave respect-



fully to state that, in the belief that his services would not probably be required in connection with the improvement for at least some time to come, and being unwilling to receive compensation for services not actually rendered, even if ready to be performed when called for, and therefore forbidding engagements elsewhere, he sent a resignation of his office of Chief Engineer to the Commission, to take effect on the 1st of March, ultimo. The new Commission not having as yet organized, no action has been taken upon his communication to it, and hence his relations to the work may appear to remain undetermined, and, before acting upon the subject referred to him by your Honorable Body, he feels it proper to ask your wishes, and to say that if they are that his resignation should stand, he will cheerfully conform to them; or, if otherwise, he will prepare to report to you as soon as practicable upon the memorial referred to him.

BENJAMIN H. LATROBE.

Baltimore, April 18, 1871.

On motion of Mr. Johnson, the communication was laid upon the table.

Mr. Price moved the reconsideration of the vote by which the paper in relation to the diversion of Jones' Falls was referred to Mr. Latrobe yesterday.

Mr. Trippe moved as a substitute that Mr. Latrobe be requested to return the paper to the Branch.

The substitute was declared adopted.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the advisability of the appointment of an additional lamp-lighter for the Middle District, respectfully report that, in their opinion, the number of lamps to

be lighted in that district make such an appointment desirable, and ask the adoption of the following ordinance :

A. C. TRIPPE,

H. CROUT,

BENJ. PRICE,

*First Branch.*

H. McCOY,

*Second Branch.*

An ordinance appointing an additional lamp-lighter for the Middle District.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That an additional lamplighter be appointed for the Middle District.

SEC. 2. Be it further enacted and ordained, That this ordinance take effect from and after the date of its passage.

On motion of Mr. Trippe, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Hudgins offered the following resolution, which was read :

Resolved by the First Branch of the City Council of Baltimore, That the Joint Standing Committee on Parks be, and they are hereby, requested to examine into the condition of Eastern Spring, with a view to making an appropriation for a supply of seats to accommodate the public in the coming season, as well as to properly whitewash trees, &c., and to report a resolution to that effect at as early a day as possible.

On motion of Mr. Hudgins, the resolution was referred to the Joint Standing Committee on Parks.

Mr. Weaver, from the Joint Standing Committee on Police and Jail, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Police and Jail, to whom was referred the petition of Richard Holmes, asking the privilege to build a frame bath-house in the rear of his residence, No. 171 Pennsylvania avenue, have considered the matter, and recommend the adoption of the subjoined resolution :

J. HARRY WEAVER,  
S. SANDS MILLS,  
THOS. P. KERNAN,  
*First Branch.*

JOHN MILROY,  
A. W. DUKE,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and is hereby, granted to Richard Holmes to build a frame bath-house in the rear of No. 171 Pennsylvania avenue ; provided the same be built in conformity with the ordinance relating thereto.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

Mr. Crout offered the following resolution, which was read

Resolved by the Mayor and City Council of Baltimore, That Ellen Ellis have permission to sink a well in front of her store, on the corner of West and Ridgely streets, at her own expense.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the firm of Bartlett, Robbins & Co. be granted permission to construct a railway track, three feet wide, across the bed of McHenry street, midway between Scott street and McHenry alley; provided they conform to the grade of the street as now existing, the same to be removed at their expense at thirty days' notice from the Mayor.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and on motion of Mr. Trippe, was referred to the Joint Standing Committee on Highways.

On motion of Mr. Crout, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Wednesday, April 19, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Weitzell and Smyrk.

Mr. Price presented a memorial from Chas. Dunn, claiming to be the contractor for the building of the Richmond Market House, and protesting against the awarding of a new contract to any other person for same, which was read and referred to the Joint Standing Committee on Markets.

Mr. Mills presented a petition from H. P. Lucas, Superintendent of the Police and Fire Alarm Telegraph, for an appropriation for the erection of one hundred and fifty new telegraph poles, which was read and referred to the Joint Standing Committee on the Fire Department.

Mr. Trippe presented a petition from G. Reuling, M. D., for a special appropriation of one thousand dollars for the



Maryland Eye and Ear Infirmary, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Water, to whom was referred the petition of C. F. Wortmann, asking permission to sink a well for the purpose of placing therein a pump, beg leave to report, that they see no reason why the request should not be granted, and accordingly recommend the adoption of the following resolution:

G. MORRIS BOND,  
LEWIS EHLERS,  
JOHN M. BRUCE,  
*First Branch.*

FREDERICK COOK,  
JOHN MILROY,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be granted to C. F. Wortmann to sink a well, for the purpose of placing therein a pump, on his premises, corner of Cross and Scott streets. The expense to borne by himself.

On motion of Mr. Ehlers, the resolution was read a second time, by special order and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims respectfully report, that they have carefully examined the claim of P. L. Perkins, for rent of property on North street, sold to the city for the purposes of the Central Police Station House, which claim was for rent of the property for two months, elapsing between the date of purchase and time of payment of the price agreed upon ; and believing the state-

ments in the petition to be substantially true, submit the annexed resolution, and ask its adoption:

BENJ. PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

FREDERICK COOKE,  
J. I. GROSS,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to Mr. P. L. Perkins, out of any money in his hands not otherwise appropriated, the sum of one hundred dollars, for rent of house on North street, sold to the city for the purposes of a Police Station House, for the time elapsing between the date of purchase and payment of the purchase money, provided a proper receipt be given for the same.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Highways, to whom was referred the petition of Knight & Marchant, asking permission to run a drain, 100 feet or thereabouts, from the buildings situate on the north side of Hampstead street, between Washington and Castle streets, beg leave to report that the prayer of the petitioner should be granted, and offer the following resolution:

S. SANDS MILLS,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Messrs. Knight & Marchant be, and they are

hereby, permitted to lay a drain pipe from the buildings situate on the north side of Hampstead street, between Washington and Castle streets, say 100 feet, to run to the corner of Washington street, in order to drain the cellars of said buildings ; provided said work be done at their own expense, and under the supervision of the City Commissioner. The said Knight & Marchant are enjoined to have said street properly restored and repaved.

On motion of Mr. Mills,, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of C. Search, for permission to lay down a four-inch drain pipe, from his laundry on High street, through Plowman street, respectfully report that they have examined the subject, and see no reason why the request should not be granted ; they therefore offer the following resolution, and ask its adoption :

S. SANDS MILLS,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and is hereby, granted to C. Search to lay down a four-inch drain pipe, from his laundry on High street, through Plowman street, to Jones' Falls, provided the said C. Search shall have the pavement of the street restored to as good condition as it was before the excavation for the pipe was made.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Francis Kirk and others, asking condemnation of Cook street (formerly Sansens), between Pennsylvania avenue and Madison avenue ; also the remonstrance of John Buckheimer, and sundry other citizens interested, representing \$144,000 worth of property, beg to report, that they have given the subject a careful consideration, and believing the public convenience does not require its condemnation at this time, would offer the following resolution, and ask its adoption:

S. SANDS MILLS,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Mills from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Gabriel D. Clark, asking the condemnation of the bed of Byrd street, between Fort and Randall street, as laid down on Poppleton's plat, in pursuance of the provisions of the 842d section of the Maryland Code of Public Local Laws, title "City of Baltimore," beg



to report favorably, and submit the accompanying ordinance, and ask its passage:

S. SANDS MILLS,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

An ordinance to declare the bed of Byrd street, between Fort and Randall streets, a public highway.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the bed of Byrd street, between Fort and Randall streets, as laid down on Poppleton's plat of the city, be, and the same is hereby, condemned as a public highway, and shall be subject to all ordinances relating to streets, lanes and alleys in the city of Baltimore.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Highways, to whom was referred the petition of John Wigand and other property holders, asking the opening of Register street, between Lancaster and Thames streets, report that they have examined the premises, and are of the opinion that the public convenience demands the opening, and therefore offer the accompanying ordinance, and ask its passage:

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

An ordinance entitled "An ordinance to open and condemn Register street, between Lancaster and Thames streets."

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, that the Commissioners for Opening Streets be, and they are hereby, authorized and directed to condemn and open all that part of Register street lying between Lancaster and Thames streets, to the width of thirty feet; the large brick building now owned by Frederick Oehlrich to be undisturbed, and to be the north-east corner of Register and Thames streets, when opened.

SEC. 2. And be it enacted and ordained that any person or persons, or body corporate, that may be dissatisfied with the assessments of benefits and damages, as made by said Commissioners, may appeal to the Baltimore City Court, at the time, in the manner, and after like notice by the Register as provided for by Article 43 of the Baltimore City Code; and the Register and Collector of the City shall also perform such duties in relation to streets as are required of them by the provisions of said article.

On motion of Mr. Mills, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Randall offered the following resolution, which was read and adopted:

Resolved by the First Branch of the City Council of Baltimore, That the Chief Clerk of the Branch be authorized and directed to have properly painted the wood work in the hallway leading to the Council Chamber, and that the sum of fifty dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated to defray the expenses of the same.

Mr. Johnson offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the Mayor be, and he is hereby, authorized and directed to procure five hundred English sparrows, in pairs, and to have same placed in the public squares of the city ; and the sum of five hundred dollars, or so much thereof as may be necessary be, and is hereby, appropriated out of the levy of 1871 for this purpose.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and on motion of Mr. Crout, referred to the Joint Standing Committee on Parks.

Mr. Crout offered the following resolution, which was read :

Whereas, the People's Gas Light Company of Baltimore have recently completed the work of laying gas mains on Cooke and other streets in the vicinity of Lafayette Square; and whereas, the said Cooke street is used as a great public thoroughfare, and should, for the protection of citizens, be lighted at night ; therefore, be it

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to erect gas lamps at the intersection of all streets crossing Cooke street, between Fremont and Gilmor street, said thoroughfare being outside of direct taxation.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Crout, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Thursday, April 20, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Smyrk and Ward.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, April 20, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, at 5 o'clock.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

On motion of Mr. Johnson, the Branch concurred.

Mr. Randall offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the old pump stock, at the corner of Lombard street and Calender alley removed, the well property secured, and the curbstones set back to their proper place.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read and adopted :



Resolved by the First Branch of City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to examine that part of the building of Marsh Market between Second and Lombard streets, and report the same to the Council.

The Second Branch returned the following resolutions, severally endorsed "adopted :"

Resolution permitting Wm. J. Lloyd to erect a stable at No. 5 Perry street.

Resolution permitting erection of frame building by Maryland Academy of Art.

Resolution granting permission to Richard Holmes to build a frame bath-house in the rear of No. 171 Pennsylvania avenue.

Resolution to permit Ellen Ellis to sink a well on the corner of West and Ridgely streets.

The following resolution was received from the Second Branch and read :

Mr. Bond presented a petition from Kirk, Hemmell & Co., for permission to roof the shed over stable in rear of shop No. 1 Orchard street, which was read and referred to the Joint Standing Committee on the Fire Department.

The President presented a petition from Frederick Wehr, to have condemned and opened Duncan alley, between Pratt and Gough streets, which was referred to the Joint Standing Committee on Highways.

The President presented the following communication from B. H. Latrobe, which was read :

Baltimore, April 19, 1871.

*Clerk First Branch City Council:*

SIR:—Observing in this morning's papers that the First Branch of the Council have requested that I would return to them the memorial referred to me, and which I received from you yesterday, I respectfully comply with their request by enclosing it herewith.

I am, respectfully, your obedient servant,

BENJAMIN H. LATROBE.

On motion of Mr. Johnson, the memorial returned by Mr. Latrobe was referred to the Joint Standing Committee on Jones' Falls.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have properly repaired the pump situated on Thames street, between Broadway and Ann street, the expense thereof to be taken out of the appropriation for pumps for 1871.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Resolved by the Mayor and City Council of Baltimore, That the City Counsellor be, and he is hereby, authorized to effect such settlement of the case of the suit of William H. Taylor against the corporation, for the value of the steam tug "Whitaker," as in his judgment may be best for the interests of the corporation ; provided the sum to be paid by said corporation shall not exceed fifteen hundred dollars.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

The Second Branch returned the ordinance making appropriations for the year 1871, endorsed "Reconsidered, and the amendment in regard to the Eye and Ear Infirmary and Dispensary at Maryland University receded from."

The following report and ordinance from the Joint Standing Committee on the Harbor, was received from the Second Branch and read :

The Joint Standing Committee on the Harbor, to whom was referred in the Second Branch the appropriation for the Port Warden's Department for the year 1871, respectfully report that they have had the Port Warden before them, and have taken up each item in the appropriation and have thoroughly investigated the subject. We find there will be required for the Port Warden's Department for the year 1871 the full amount reported by the Committee of Ways and Means, and they recommend the adoption of the following ordinance:

JOS. G. JOHNSON,  
J. C. RANDALL,  
A. E. SMYRK,

*First Branch.*

H. McCOY,  
DANIEL CONSTANTINE,  
JOHN MILROY,

*Second Branch.*

An ordinance making an appropriation for the Port Warden's Department for 1871.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the following appropriation be granted for the Port Warden's Department for the year 1871:

Amount required to keep in service 3 tugs and 7 dredging machines.....	\$67,500 00
Dumping machine and marine railway.....	15,000 00
Crane and leveling sediment at Marine Hospital	20,000 00
Pay of Port Warden's clerk.....	2,500 00
Completing Webster street dock .....	2,500 00
To pay contracts for machinery.....	11,750 00
Repair of shed, and building office.....	1,000 00
Purchase of mud machine .....	7,000 00
Extending sea wall at Marine Hospital .....	10,000 00
Repairs of wharves " .....	10,000 00
Building 6 scows.....	9,000 00
Repair of machinery of dredging machines, tugs, &c.....	10,000 00
3 months' pay roll at City Yard, January, Feb- ruary and March.....	9,000 00
Amount received for employees at City Yard, and material &c., for balance of year.....	4,750 00
	<hr/>
	\$180,000 00

On a motion by Mr. Johnson to suspend the rules, an objection being made by Mr. Mills, the yeas and nays were requested by the President, and resulted as follows:

*Yeas*—Messrs. Hudgins, Trippe, Kernan, Torsch, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—13.

*Nays*—Messrs. President, Weitzell, Bruce, Mills, and Bond—5.

Two-thirds of the members present having voted in the affirmative, the rules were declared suspended, and the ordinance read a second time, the title approved, and the ordinance declared passed.

Mr. Crout, from the Joint Standing Committee on Education, submitted the following report and accompanying resolution, which were read:



Baltimore, November 21, 1870.

The report of the Joint Standing Committee on Education, to whom was referred the petition of the School Board Committee, recommending the purchase of Winans' Chapel, on West Baltimore street, for the use of Colored School No. 7, respectfully report that, after investigating the subject referred to them, they deem it advisable to make the purchase in the manner as recommended by the School Board, and therefore respectfully ask the adoption of the following resolution :

H. CROUT,  
BENJAMIN PRICE,  
A. C. TRIPPE,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
A. W. DUKE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to negotiate for the purchase of the Winans' Chapel, situated on West Baltimore street, for the accommodation of Male and Female Colored Schools, upon the terms set forth in the communication submitted to the Council by the School Board; and that three thousand dollars, or so much thereof as may be necessary, be appropriated for the purpose of putting it in repair and refitting it suitable for use of said school.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Sommerlock, the Branch adjourned until Monday afternoon next, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Monday, April 24, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Hudgins presented a petition from George W. Dickerson for the abatement of a nuisance existing in a private alley running north from Dickerson alley and west from Bethel street, which was read and referred to the Joint Standing Committee on Health.

Mr. Bond presented a petition from William Keyser, executor, for removal of obstructions at head of McClure's dock, which was read and referred to the Joint Standing Committee on Health.

Mr. Ehlers presented a petition from F. Livingston, to be refunded taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Jacob Beck, asking the privilege of extending his building line on the southwest corner of Caroline and Gay streets, beg to report, that they have inspected the premises, and are of the opinion that the prayer of the petitioner should be granted. They therefore offer the following resolution, and ask its adoption.

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That Jacob Beck be, and he is hereby, permitted to extend his building line on Caroline street, on a line with the building line as now existing south of his premises, located on the southwest corner of Caroline and Gay streets.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was recommitted the resolution granting permission to Bartlett, Robbins & Co. to construct a railway track across the bed of McHenry street, respectfully state, that after having visited the section named, believe the permission should be granted. They therefore offer the following resolution, and respectfully ask its adoption.

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,  
*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the firm of Bartlett, Robbins & Co. be granted permission to construct a railway track, three feet wide, across the bed of McHenry street, midway between Scott street and McHenry alley ; provided they conform to the grade of the street as now existing, the same to be removed at their expense at sixty days' notice from the Mayor.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

Mr. Bruce offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the old dry pump on the south side of Monument street, near Stirling street, removed, and the well properly covered and secured.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

Mr. Bond offered the following resolution, which was read:

Whereas, it is openly charged by the Abbot Iron Company of this city, that certain parties claiming to represent and speak on behalf of this Council, have demanded of said Company improper inducements as a condition precedent to the granting of wharf privileges petitioned for by said Company, and now under consideration of this Council; and whereas, it is right and proper that the City Council of Baltimore should (if these charges be proven) protect its petitioners, and vindicate its own honor in the matter, therefore,

Resolved by both Branches of the City Council of Baltimore, That a Joint Special Committee of three members of each Branch be appointed, with power to send for persons and papers, who shall fully investigate the charges made by the Abbot Iron Company, and report to this Council, by bill or otherwise, and at as early a day as possible, the result of their investigation.

On motion of Mr. Bond, the resolution was read a second time, by special order. •

The question being on the adoption of the resolution, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows:



*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, and Weaver—18.

*Nays*—None.

The resolution was declared adopted.

The Chair named as the committee on the part of this Branch Messrs. Bond, Sommerlock and Mills.

Mr. Berry offered the following resolution, which was read.

Resolved by the Mayor and City Council of Baltimore, That the Port Warden be, and he is hereby, authorized and directed to expend, in addition to the sum of three thousand dollurs (\$3,000), specified in the appropriation for harbor for the year 1871, for deepening the harbor at Spring Gardens, the further sum of five thousand dollars (\$5,000), thereby making the appropriation for the said harbor at Spring Gardens to be eight thousand dollars (\$8,000), all to be taken out of the appropriation made for the harbor for the year 1871.

On a motion by Mr. Berry to suspend the rules to give the resolution a second reading, and objection being made by Mr. Trippe, the yeas and nays were demanded by Mr. Randall, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Kernan, Ward, Torsch, Bond, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, and Weaver—14.

*Nays*—Messrs. Trippe, Bruce, Smyrk, and Mills—4.

The rules were declared suspended.

Col. William Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a sealed communication from his Honor the Mayor.

The question recurring upon the adoption of the resolution,

Mr. Trippe offered the following amendment to come in at the end of the resolution, which was read:

“And said appropriation to include the expenses of machines used in said dredging.”

The amendment was accepted, and the question recurring on the adoption of the resolution, it was declared adopted as amended.

Mr. Trippe offered the following resolution, which was read:

Resolved by the First Branch of the City Council of Baltimore, That the City Counsellor and Solicitor be requested to give this body their legal opinions whether, under the provisions of the ordinances of the Mayor and City Council providing for the improvement of Jones' Falls, and the act of the Legislature and ordinances providing for legalizing the expenditure for the same by the approval of the people, it be competent by ordinance to adopt any other than the plan commonly known as the Tyson plan.

The question being on the adoption of the resolution, the yeas and nays were demanded by Mr. Kernan, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Mills, Kernan, Bond, Sommerlock, Berry, Freeberger, Ehlers, and Weaver—13.

*Nays*—Messrs. Bruce, Ward, Torsch, Randall, and Johnson—5.

The resolution was declared adopted.

Mr. Price was, by permission of the Branch, excused from voting on the above question.

On motion of Mr. Mills, the Branch adjourned until tomorrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

The following ordinances and resolutions were presented to the Mayor on the dates named :

April 6th—Ordinance to determine the compensation of members of the Council.

April 6th—Resolution in relation to Schools—No. 17.

April 7th—An ordinance to repeal section 1 of Baltimore City Code (1869), title "ordinance"—sub-title "Mayor," and to re-enact the same with amendments.

The following on April 13th :

Resolution for the laying of flagstones from Pier No. 12, Light Street Wharf.

Resolution authorizing Geo. H. Allender & Co. to construct a sewer.

Resolution for fire alarm boxes at the corner of McMechin street and Madison avenue, and at the corner of Gist and Pratt streets.

An ordinance to provide for the paving and grading of Spring street, between East Biddle and John streets.

An ordinance to relieve certain property-holders on Park street from assessments for benefits imposed upon them for the opening of said street under ordinance No. 60 of 1868, and for returning said benefits in cases where they have been paid to the city.

An ordinance to lay and collect a tax for the redemption of the City Hall stock.

An ordinance to provide for the payment of interest on the Park, Park Improvement, extension of Water Works, Almshouse, Court House, and miscellaneous bonds.

An ordinance to lay and collect a tax for the payment of the expenses of opening certain streets.

An ordinance to lay and collect a tax for the payment of certain expenses of the Courts, Jail, &c., for the year eighteen hundred and seventy-one.

An ordinance to provide for the payment of sundry expenses of the Criminal Court of Baltimore, for the city poor in the Almshouse of Baltimore City, the House of Refuge, Aged Women's Home, the Dispensaries, the Children's Aid Society, the Association for Improving the Condition of the Poor, &c., &c., for the year eighteen hundred and seventy-one.

An ordinance to lay and collect a tax for the support of the police of Baltimore City, for the year eighteen hundred and seventy-one.

An ordinance to lay and collect a direct tax for the year eighteen hundred and seventy-one.

An ordinance to provide for the payment of interest on loans obtained by the city, for the purpose of prosecuting the works of internal improvement.

An ordinance for the payment of the expenses of the Public Schools in the City of Baltimore, for the year eighteen hundred and seventy-one.

An ordinance to lay and collect a direct tax for the repair of highways and bridges in certain parts of the City of Baltimore, and the necessary grading and masonry required for the construction of the same.

An ordinance to lay and collect a direct tax for the use of the State for the year eighteen hundred and seventy-one.

The following on April 20th :



Resolution to place an anchorage buoy in the northeast part of the harbor.

Resolution to lay gas mains on Barre street.

Resolution to lay gas mains on Union street.

Resolution permitting William Carr and Jas. Moore to construct a sewer.

Resolution repealing resolution No. 234 of 1870, being a resolution in relation to Gwynn's Falls Bridge.

An ordinance to provide for the paving of Warren street.

An ordinance amendatory of section 2 of Article 24 of the Baltimore City Code.

The following on April 21st:

An ordinance authorizing the Gold & Stock Printing Telegraph Co. to erect telegraph poles in certain streets in the City of Baltimore, and to use the poles of the Fire Alarm Telegraph in the extension of their lines.

Resolution authorizing Hermann Schinck to rebuild a summer kitchen at No. 68 Park street.

Resolution for the construction of two windows in the Circuit Court for Baltimore City.

Resolution for the improvement of North Broadway, between Jefferson and McEldery streets.

#### APPROPRIATIONS.

Amount heretofore stated.....	\$52,227 26
Resolution to shell Boston street.....	150 00
Resolution for fire alarm boxes at the corner of McMechin street and Madison avenue.....	300 00
Resolution for fire alarm boxes at the corner of Gist and Pratt streets.....	470 00
Resolution for painting hall-way to Council chamber... ..	50 00
	<hr/>
	\$53,197 26

Tuesday, April 25, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Kernan and Price.

Mr. Bruce presented papers in reference to the opening of Lexington street, withdrawn from the file of the Register's office, which were read and referred to the Joint Standing Committee on Highways.

Mr. Smyrk presented a petition from E. Patterson, Jr., and others, for the opening and condemning of Gist street, from Baltimore to Monument street, which was read, and referred to the Joint Standing Committee on Highways.

Mr. Smyrk presented a petition from E. Patterson, Jr., and others, for the opening and condemning of Orleans street, from Chester to Patuxent street, which was referred to the Joint Standing Committee on Highways.

Mr. Weaver presented a petition from F. A. Greer, for the opening of Mount street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Water, to whom was referred the petition of Joshua Register, asking permission to sink a well in the twelve-foot alley in the rear of his lot, corner of Hollins street and Vincent alley, respectfully report that they have considered the matter, and see no reason why the request should not be granted. They accordingly submit the following resolution :

G. MORRIS BOND,  
LEWIS EHLERS,  
JOHN M. BRUCE,

*First Branch.*

DANIEL CONSTANTINE,  
FREDERICK COOK,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Joshua Register to sink a well in the twelve-foot alley in the rear of his lot, corner of Hollins street and Vincent alley, the same to be done at his own expense, and under the supervision of the City Commissioner.

On motion of Mr. Sommerlock, the resolution was read a second time by special order, and adopted.

Mr. Torsch, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on the Fire Department, to whom was referred the petition of Wm. Schloss, to build a frame summer kitchen, with porch over same, with roof, on 251 Saratoga street, between Pearl and Pine streets, respectfully state that, after having investigated the subject, they find that the privilege, if granted, will in no way interfere with the rights of others, and therefore believe the petition should be granted.

S. SANDS MILLS,  
JOHN W. TORSCH,  
J. C. RANDALL,

*First Branch.*

FREDERICK COOK,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Wm. Schloss to build a frame summer kitchen, with porch and roof, on 251 Saratoga street; provided the erection of said kitchen shall in no manner interfere with the rights of any citizen.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Weitzell, a committee of two was appointed to invite the Second Branch into convention with the First on a sealed communication from his Honor, the Mayor.

The Chair named as the committee Messrs. Weitzell and Randall.

The President presented an invitation from the teachers of Female Grammar Schools Nos. 3, 13, 19 and 20, to attend a concert on Friday evening next, at Masonic Temple.

On motion of Mr. Crout, the invitation was accepted.

The two Branches then went into convention, and after remaining therein for some time, the members of the Second Branch returned to their chamber.

Business being resumed—

Mr. Smyrk called up the ordinance known on the file as No. 11, entitled “an ordinance to regulate boats, lighters and scows, and to provide for licensing the same,” which was read.

Mr. Sommerlock offered the following amendment, which was read :

To come in at the end of first section, “With the exception of boats used as pleasure boats.”

The amendment was declared lost.

Mr. Mills offered the following amendment, which was read :

Amend section first, fifth line, after “more,” and insert, “save such boats as are engaged in fishing or crabbing, the owners of the same following fishing or crabbing for a livelihood.

By permission of the Branch the amendment was withdrawn.



Mr. Torsch offered the following amendment, which was read :

“Except those boats which are licensed by the General Government and those boats which are used by crabbers for the purposes of a livelihood. A permit and number shall be issued to this latter class, without charge, on their furnishing sufficient evidence of the fact to the City Comptroller.”

Pending the discussion of the amendment,

On motion of Mr. Weitzell, the whole subject was committed to the Joint Standing Committee on Highways.

On motion of Mr. Bond, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Wednesday, April 26, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Kernan and Price.

Mr. Weitzell presented a petition from Warner Knoble, for permission to erect a patent pump on the pavement in front of his premises, on the northwest corner of Canton avenue and Port street, which was read and referred to the Joint Standing Committee on Water.

Mr. Randall presented a communication from E. H. Gardner and others, in reference to the removal of the track on Howard street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Trippe introduced the following ordinance which was read:

An ordinance to carry into effect the provisions of an Act of the General Assembly of Maryland, passed January session, 1870, chapter 336, entitled an Act to repeal and re-enact, with amendments, sections 33, 34, 35, 39, and 75 of Article 81 of the Code of Public General Laws of Maryland, entitled "Revenues and Taxes," and relating to the appointment of, and the bonds to be given by, and compensation paid to the Collectors of State taxes.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Collector of State taxes in the city of Baltimore shall receive as a compensation for his services one per centum on the amount of taxes levied for the year 1871, collected by him prior to January 1, 1872; all of which taxes shall be collected as provided for in the Acts of the Assembly of the State of Maryland; and all ordinances, or parts of ordinances, inconsistent herewith be, and the same are hereby, repealed.

On motion of Mr. Trippe, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Trippe proposed a message to the Second Branch, inviting the members of that Branch into the chamber of the First Branch in conference, in order to hear a committee of citizens of the flooded district on the subject of the improvement of Jones' Falls.

The message was ordered to be sent.

The members of the Second Branch appeared and took seats in this Branch.

Mr. Trippe introduced to the Council H. M. Warfield, Esq., who presented the following memorial:

Whereas, The Honorable the City Council of Baltimore, after a patient and deliberate consideration of numerous plans

for the Improvement of Jones' Falls, have with the endorsement of eminent engineers, selected one suitable to the carrying into execution this needed and demanded improvement, and set forth more particularly in the able, comprehensive and exhaustive report by their Joint Special Committee, made on March 4th, 1871, it is deemed appropriate for this meeting to urge upon the Honorable the Mayor and City Council to complete the existing ordinances relative thereto, by the prompt appointment of the commission contemplated and to put into execution the purposes for which the ordinances were framed.

This meeting, composed of citizens, tax-payers, and whose vital interests have suffered and are in jeopardy, at this present, deems itself competent respectfully to state several reasons, which actuated it, in pressing the demand for immediate action.

First.—The imperative duty of the authorities promptly to provide for the security of the lives and property of its citizens.

Second.—Every unnecessary delay in carrying out ordinances already passed, only aggravates, in the event of another flood, the peril to life and property.

Third.—The extensive area of 135 acres in the heart of the city subject to disaster, and upon which is situated so valuable a community of interests, comprising with public buildings, its industrial, manufacturing, and leading commercial callings and vocations.

Fourth.—The consequent duty of the corporation so to deal with the stream as to prevent its becoming a nuisance to the public at large and the owners of property immediately upon and adjacent thereto.

Fifth.—The corporation has allowed the Falls to become a nuisance, and has failed to enforce its ordinances on that subject, and it has itself directly and actually contributed, through its system of sewerage, to the gradual filling up of the stream.

Sixth.—The increase of obstructions and of the injury they have caused has been regular and gradual, and every usual or

unusual rise in the water has had its results aggravated by the pre-existing deposits.

Seventh.—If the pre-existing obstructions had been removed, the flood of 1868 might have been entirely harmless, if the city had taken the precautions suggested by experience and placed within the scope of its powers and duties by the Act of 1817 and the present Code.

Eighth.—The creation of an open and comprehensive waterway, free from obstructions and secured within flood walls, will accomplish security and go far towards allaying apprehension from the storage of immense volumes of water at a high elevation above the city. It is the duty of the corporation to throw around these lakes every precaution that forethought can suggest.

Ninth.—That no great public improvement was ever undertaken without bitter opposition in its conception, and popularized only when approaching completion.

Tenth.—Experience teaches that the introduction of fresh water into the harbor is beneficial in a health-giving point of view. Witness, as the season advances, the *live* water below the drawbridge and the *noxious* water above that point.

Eleventh.—The city proposes in the immediate future the introduction of the Gunpowder for its uses, with the necessities of a growing community. Its waste water must be provided for.

Twelfth.—The sooner a flood reaches tide-water its power for damages is neutralized.

Thirteenth.—The improvement of Jones' Falls is an adjunct to the improvement of the harbor.

Fourteenth.—This meeting recognizes its duty towards every portion of the city in its improvement and consequent development of the whole.



Fifteenth.—The permanent improvement provided for will at once give employment to numbers of citizens at present seeking it, and benefits to the whole will be indirectly enjoyed.

Sixteenth.—The first commission warned all persons resident upon the contemplated and determined line of improvement to desist from expediture thereon, otherwise their outlay would not be recognized in claims for damages. As a consequence, a number of improvements have been deferred, and injustice thereby done to citizens.

With these plain reasons, this meeting respectfully urge upon the Mayor and City Council that the existing ordinance relative to "the improvement of Jones' Falls" be rendered operative by the appointment of the commission as contemplated therein.

Be it therefore resolved, That the Honorable the Mayor and City Council of Baltimore be respectfully and earnestly requested to appoint the contemplated commission at once.

Resolved, That these proceedings be this evening presented to the City Council in session by the officers of this meeting, and the necessity of immediate action urged upon that body.

JOHN CURLETT,  
W. H. JOHNSON,  
JAMES FLYNN,  
JOHN McCLERNAN,  
C. LEWIS DUNLAP.

On motion of Mr. Johnson, the memorial was ordered to be spread upon the Journal.

After addresses by H. M. Warfield and W. H. Johnson, Esqs., the conference adjourned, and the members of the Second Branch returned to their chamber.

Business being resumed—

Mr. Johnson offered a message to the Second Branch, inviting that Branch into convention with the First, for the purpose of electing a Jones' Falls Commissioner, to fill the vacancy occasioned by the resignation of J. L. McLane.

Upon a motion by Mr. Bond to lay the message on the table, the yeas and nays were demanded by Mr. Ward, resulting as follows:

*Yeas*—Messrs. President, Bond, Freeberger, and Ehlers,—4.

*Nays*—Messrs. Weitzell, Hudgins, Bruce, Smyrk, Mills, Ward, Torsch, Sommerlock, Randall, Berry, Johnson, Weaver, and Crout—13.

The Branch refused to lay the message on the table.

The question recurring on the adoption of the message, it was adopted, and ordered to be sent.

Mr. Johnson introduced the following ordinance, which was read :

An ordinance entitled an ordinance to extend the time for the removal of the Howard street railroad track.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the time for the taking up of the Howard street railroad track be, and the same is hereby, extended to the first day of October, 1872.

SEC. 2. Be it further enacted and ordained, That all ordinances, or parts of ordinances, inconsistent with this ordinance be, and the same are hereby, repealed.

On motion of Mr. Johnson, the ordinance was laid upon the table.

The Second Branch returned the following resolution, endorsed "rejected :"

Resolution in favor of E. L. Perkins.

The Second Branch returned the following resolutions, severally endorsed "adopted :"

Resolution for purchase of Winans' Chapel for use of Colored School No. 7.

Resolution to remove an old pump stock, corner Lombard street and Callender alley.

Resolution for the repair of pump on Thames street.

Resolution adverse to claim of Francis Kirk.

Resolution in favor of Knight & Marchant.

Resolution in favor of C. Search.

Resolution in favor of C. F. Wortmann.

Resolution to have lamps placed in streets in the vicinity of Lafayette Square, outside of direct taxation.

The Second Branch returned resolution investigating certain charges made by the Abbott Iron Company, endorsed adopted, and named on the part of that Branch as committee Messrs. Duke, Gross and Vickery.

The Second Branch returned the following ordinances, severally endorsed "passed :"

An ordinance to open and condemn Register street, between Lancaster and Thames streets.

An ordinance to appoint an additional lamp-lighter for the Middle District.

An ordinance to declare the bed of Byrd street, between Fort and Randall streets, a public highway.

A report from the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch, and read.

Resolved by the Mayor and City Council of Baltimore, That the petition of George Clarkson, father of Alfred Clarkson, deceased, who presents a claim for compensation for services of said son, rendered and not compensated for, be referred to the Patapsco River and Harbor Commission for a proper settlement.

On motion of Mr. Johnson the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Highways, with the following ordinance, was received from the Second Branch, and read.

An ordinance to condemn and open Stricker street, from Mulberry street to Harlem square.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, directed to condemn and open Stricker street from Mulberry street to Harlem square.

SEC. 2. And be it enacted and ordained, That any person or persons, or body corporate, who may be dissatisfied with the assessment of damages or benefits which shall be made by said Commissioners, may appeal to the Baltimore City Court, at the time, in the manner and after like notice by the Register, as provided for in an ordinance entitled "An ordinance to provide for exercising certain powers vested in this Corporation in relation to streets in the City of Baltimore," approved April 3d, 1866; and the Collector and Register of the City shall also perform such duties in relation to streets as are required of them by the provisions of said ordinance.

On motion of Mr. Weaver the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

A report from the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch, and read.

Resolved by the Mayor and City Council, That the assessment of one hundred dollars upon the property of M. L. Shrote, for benefits in the opening of Oregon street, be, and the same is, reduced to seventeen dollars.

On motion of Mr. Freeberger the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Highways, with the following ordinance, was received from the Second Branch, and read.



An ordinance to provide for the grading and paving of Truxton street, between Greenmount avenue and Forrest street.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to have Truxton street, between Greenmount avenue and Forrest street, graded and paved, and to assess upon the owners of property on said Truxton street, between Greenmount avenue and Forrest street, their proportional part of the expenses of said grading and paving, as provided by chap. 282 of the Acts of the General Assembly of Maryland of 1870.

SEC. 2. And be it enacted and ordained, That the Collector of the City be, and he is hereby, directed to collect said expenses when so assessed, from said property owners, as other city taxes are collected.

SEC. 3. And be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Freeberger the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

A report from the Joint Standing Committee on Highways, with the following ordinance, was received from the Second Branch, and read.

An ordinance to condemn and open Madeira alley, from Lombard street to Pratt street, to carry into effect certain provisions in the deeds of division of the property binding on, and calling for the outlines of said alley, under the provisions of section 842, Article 4, of the Maryland Code of Public Local Laws, "City of Baltimore."

SECTION 1. Be it enacted by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, authorized and required to condemn and open Madeira alley, from Lombard street to Pratt street, in accordance with the provisions of section 842, Article 4, of the Maryland Code of Public Local Laws, "City of Baltimore."

SEC. 2. And be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Ehlers the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

The following resolution was received from the Second Branch, and read.

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have flag stones placed across Baltimore street, opposite No. 485 on the north side, and No. 487 on the south side.

On motion of Mr. Randall the resolution was laid upon the table.

A report from the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Benj. S. Benson to construct a switch from the Northern Central railroad, on Monument street, into Graves street, a distance of about one hundred and sixty feet, and from said Graves street into the coal and iron yard of said Benj. S. Benson.

On motion of Mr. Weaver, the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Highways, with accompanying resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized to have proper flagging laid across Cathedral street, in front of Emmanuel Church, of such width (not exceeding six feet) as in his judgment may be necessary, the expense of the same to be taken out of any money not otherwise appropriated.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

A report of the Joint Standing Committee on Health, with accompanying resolution, was received from the Second Branch and read :

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch, and read.

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the pump on the north side of Mulberry street, between Pine and Pearl streets (opposite No. 163), removed and the well properly secured.

On motion of Mr. Bruce the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Water, with the following resolution, was received from the Second Branch, and read.

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have a fire-plug placed at the northeast corner of Caroline and Aliceanna streets, the expense of the same be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Ehlers the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Fire Department, with the following resolution, was received from the Second Branch, and read.

Resolved by the Mayor and City Council of Baltimore,

That permission be, and is hereby, granted to Magne & Chipman to erect a one-story frame building for a saw mill, and a frame lumber shed on their premises, south side of Boston street, east of Harris' creek; provided the said Magne & Chipman comply with Article 43, section 118, Baltimore City Code, in reference to frame sheds.

On motion of Mr. Freeberger the resolution was read a second time, by special order, and adopted.

The following ordinance was received from the Second Branch and read :

An ordinance supplementary to an ordinance, approved June 27, 1870, to condemn and open an alley twenty feet wide to Orleans street.

Whereas, An ordinance has been passed by the Mayor and City Council of Baltimore, and approved June 27, 1870, to condemn and open to Orleans street the south end of an alley lying between Broadway and Register street and parallel thereto.

And whereas, The said alley as now opened is only twelve feet wide; and whereas, the said ordinance does not direct which side of the alley is to be widened to twenty feet—a vacant lot binding thereon on the east and a three-story brick dwelling house on the west; and whereas, a supplemental ordinance is desired to open and continue said alley of an uniform width of twelve feet to Orleans street.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, authorized and directed to condemn and open an alley twelve feet wide from the southern end of an alley located between Broadway and Register street and parallel thereto, and terminating twenty-eight feet north of Orleans street, so as to continue said alley to Orleans street.

SEC. 2. And be it enacted and ordained that any person or persons, or body corporate, who may be dissatisfied with the assessments of damages or benefits which shall be made by said Commissioners, may appeal to the Baltimore City



Court, at the time, in the manner, and after the notice by the Register as provided for in article 43 of the Baltimore City Code; and the Collector and Register of the City shall also perform such duties in relation to streets as are required of them by the provisions of said article.

On motion of Mr. Ward, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

The following resolution was received from the Second Branch and read:

Whereas, an ordinance authorizing the Register of the City to issue bonds of the city to the extent of \$2,500,000 "for the purpose of providing means for the improvement of Jones' Falls" was approved by a vote of the people of Baltimore, at an election held in pursuance of the requirement of the Constitution of the United States, that such approval should be obtained, and—

Whereas, notwithstanding the popular endorsement so given to a work of internal improvement of such magnitude and importance as the one proposed, there nevertheless exists in the minds of the community at large an unmistakable and violent opposition to the plan adopted for the construction of said work, and to the provisions of existing ordinances for the execution of the same, and--

Whereas, in view of the appropriation aforesaid, and of the general diversity of opinion upon a subject of such importance and so largely involving the interests of tax-payers, it is wise and proper, and is the duty as well as the wish of the City Council, that the true sense of the people should be ascertained and respected.

Therefore, be it resolved by the Mayor and City Council of Baltimore, That all action under and by virtue of the provisions of an ordinance entitled "An ordinance to provide for the improvement of Jones' Falls within the limits of the City of Baltimore, and to open avenues and construct sewers on the borders thereof," approved January 31st, 1870, and of the various supplements thereto be, and the same is hereby, sus-

pending, until the sense of the people, as aforesaid, shall have been legally ascertained.

Resolved, That a Joint Special Committee of three members from each Branch, be appointed by the Presidents thereof, with instructions to prepare and report an ordinance providing for an election to be held in accordance with the spirit and intention of these resolutions and their preamble.

On a motion by Mr. Trippe that the resolution lay upon the table, and be made the special order of the day for Tuesday afternoon next, at 5½ o'clock—

The yeas and nays were demanded by Mr. Ward, and resulted as follows:

*Yeas*—Messrs. President, Hudgins, Trippe, Bruce, Mills, Torsch, Bond, Berry, Freeberger, Ehlers, Weaver, and Crout—12.

*Nays*—Messrs. Weitzell, Smyrk, Ward, Sommerlock, Randall, and Johnson—6.

The Branch declared the resolution laid upon the table, and made the order of the day for next Tuesday afternoon at 5½ o'clock.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Ways and Means, to whom was recommitted the ordinance providing for a contract for lighting the city lamps, respectfully report that by official figures from the Comptroller's Department the number of burning hours of each lamp during the present year, in order to properly light the city, will be 2,800; the average number of feet per hour, 5; making estimated feet consumed per year 14,000, which, multiplied by \$2.50, the price recommended per 1,000 feet, makes the price per lamp for the year, \$3,500, or less than present rates.

Your committee further require the laying of mains to the

amount of \$15,000 per annum, \$5,000 more than were required under the old contract, and all mains ordered by resolution of previous Councils; the release of all claims against the city by the Companies, with a proviso that the city may retire from the contract at any time it shall undertake to furnish its own gas, or can make a better contract with another company, and require the companies, respectively, to give bond for the faithful performance of its conditions.

We believe this to be a reasonable contract, and recommend the passage of the following ordinance:

A. C. TRIPPE,  
BENJ. PRICE,  
H. CROUT,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
WM. H. VICKERY,

*Second Branch.*

On motion of Mr. Trippe, the ordinance was laid upon the table and made the order of the day for next Monday afternoon, at 5½ o'clock.

The following message was received from the Second Branch, and read:

IN SECOND BRANCH,  
Baltimore, April 26, 1871.

*Gentlemen of the First Branch:*

We respectfully inform you that we have non-concurred in your proposition to go into convention to elect a commissioner for the improvement of Jones' Falls, in place of Jas. L. McLane, Esq., resigned.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

On motion of Mr. Ehlers, the Branch adjourned until tomorrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Thursday, April 27, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Trippe and Price.

Mr. Weitzell presented a memorial from a meeting of citizens in favor of extending Patterson's Park, which was read and referred to the Joint Standing Committee on Parks.

Mr. Mills presented a petition from Henry M. Caffray, for permission to extend his sidewalk, on the corner of Wine alley and German streets, to conform to the line at the north end of said alley, which was read and referred to the Joint Standing Committee on Highways.

Mr. Torsch presented a petition from Francis Burns and others, for the repeal of the ordinance passed July 9th, 1868, providing for the construction of the Liberty street sewer, which was read and referred to the Joint Standing Committee on Highways.

Mr. Torsch proposed a message to the Second Branch, inviting the members of that Branch into the chamber of this Branch, in order to hear a committee of citizens against the construction of the Liberty street sewer.

The message was ordered to be sent.

Mr. Bond proposed a message to the Second Branch, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, at 5 o'clock.

On a motion by Mr. Johnson to lay the message on the table, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Smyrk, Mills, Kernan, Torsch, Randall, Berry, Freeberger, Ehlers, Johnson, and Weaver—12.



*Nays*—Messrs. Hudgins, Bruce, Ward, Bond, and Sommerlock—5.

The message was declared laid upon the table.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, April 27, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, May 1st. at 5 o'clock.

By order,

GEO. T. BEALL, JR., *Clerk.*

The question being on the concurrence in the message,

Mr. Johnson moved to lay it on the table—on which the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. Kernan, Randall, Ehlers, Johnson, Weaver, and Crout—6.

*Nays*—Messrs. President, Weitzell, Hudgins, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Sommerlock, Berry, and Freeberger—12.

The question recurring on the concurrence in the message, the yeas and nays were demanded by Mr. Kernan, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Sommerlock, Berry, Freeberger, and Crout—13.

*Nays*—Messrs. Kernan, Randall, Ehlers, Johnson, and Weaver—5.

The Branch concurred.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, April 27, 1871.

*Gentlemen of the First Branch :*

We respectfully ask that you return to this Branch the report of the Committee on Claims with resolution to pay P. L. Perkins \$100 for rent, &c.

By order,

GEO. T. BEALL, JR., *Clerk.*

The paper was ordered to be sent.

Mr. Bond presented a petition from property holders and residents in the vicinity of the Richmond Market, asking that a footway be placed on the south side of the market space, which was read and referred to the Joint Standing Committee on Markets.

Mr. Bond presented a petition from E. Marsden, trustee, for abatement of amount assessed on property for opening Park street, which was read and referred to the Joint Standing Committee on Claims.

Mr. Bond presented a petition from Michael Foley, to have refunded to him taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition to extend the time, as now provided by joint resolution, for the removal of the railway track on North Howard street, north of Baltimore street, as well as the various remonstrances against any extension of the time for its removal, report that they have fully considered the subject, and have afforded to all full opportunity of presenting their arguments to the committee.

It is not the purpose of your committee to argue in extent the subject referred to them, but briefly to state their conclusions. For more than twenty years an effort has been made by the owners of real estate binding on North Howard street to procure the removal of this freight and steam railway track. Three years ago the application for its removal was renewed, and an effort then made for such legislation as should accomplish it. No action was then had, but at the next session of the Council (two years ago) the subject underwent a very thorough discussion, both before the Committee on Highways and also in open session, upon the adoption of their report.

Your committee are unable to find any reasons for disturbing in any wise the action then so deliberately had. The question concerns the *owners of real estate and taxpayers* on North Howard street. Of these, your committee are advised that at least nine-tenths are earnestly in favor of the removal of the track—*these* are the owners of fifty-nine hundred (5,900 feet) feet of property binding on said street. It is thus apparent that the desire for the removal of the track since the legislation of 1869, so far from having in any respect abated, has greatly strengthened—in fact, has so strengthened as to amount to unanimity.

But apart from these and other considerations that might be urged against any change of the subsisting legislation, your committee are informed that the action of the Council two years ago was, in point of fact, a compromise, understood and acquiesced in as affording, by postponing the time of removal to two years, full and ample notice to any who were to be affected by it to locate elsewhere. Some have done so; others have bought property on the street on the faith of the removal of the track.

In view of these considerations, your committee are of opinion that it would be unjust to recommend any change whatsoever in the time provided for the removal. They, therefore, recommend the passage of the following resolution:

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
WM. H. VICKERY,

*Second Branch.*

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Pending the discussion, the following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, April 27, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have accepted your invitation to attend in the chamber of the First Branch, for the purpose of hearing a committee of citizens on the subject of Liberty street sewer.

By order,

GEO. T. BEALL, Jr., *Clerk.*

On motion of Mr. Johnson, the pending question was temporarily postponed.

The members of the Second Branch appeared and took seats in this Branch.

Mr. Torsch introduced to the Council Francis Burns, Esq., who addressed the Council in opposition to the construction of the Liberty street sewer. He was followed by Col. E. T. Joyce and Thos. F. Roche, Esq., after which the conference adjourned, and the members of the Second Branch returned to their chamber.

Business being resumed—

Mr. Johnson called up the ordinance on page 622, First Branch Journal, in relation to the extension of time for the removal of the railroad track on North Howard street, which was read and asked to be accepted as a substitute for the report of the Committee on Highways.



Mr. Mills demanded the previous question, viz: "Shall the main question be now put?"

It was declared in the affirmative.

The question being on the passage of the substitute, the yeas and nays were demanded by Mr. Mills, resulting as follows:

*Yeas*—Messrs. Kernan, Randall, Ehlers, Johnson, and Weaver—5.

*Nays*—Messrs. President, Weitzell, Hudgins, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Sommerlock, Berry, Freeberger, and Crout—13.

The substitute was declared lost.

The question recurring on the resolution, it was declared adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Highways, to whom was referred the petition of John G. Speis for grading and paving Hall alley from Cross to Clement streets, respectfully report that they have visited the above mentioned section and think the said alley should be graded and paved as requested. They therefore offer the following ordinance and respectfully ask its passage:

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
WM. H. VICKERY,

*Second Branch.*

An ordinance to grade and pave Hall alley between Cross and Clement streets.

SECTION 1. Be it enacted and ordained by the Mayor and

City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have graded and paved as provided for by ordinance of the Mayor and City Council of Baltimore, approved June 3, 1870, all that part of Hall alley from Cross to Clement streets.

SEC. 2. And be it further enacted and ordained, That the cost of paving said alley shall be assessed on the property binding thereon respectively as provided for by the aforesaid ordinance authorizing the paving of streets, lanes and alleys in the city of Baltimore; and the City Commissioner, the Register and the City Collector shall also do and perform all such acts and things in relation to such grading and paving as are required of them by the provisions of said ordinance.

SEC. 3. And be it further enacted and ordained, That this ordinance shall take effect from and after the date of its passage.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

The Second Branch returned the ordinance entitled "an ordinance in relation to the bond, compensation, &c., of the Collector of State taxes, with the following amendment, which was read:

Insert after the words "eighteen hundred and seventy-two" the following, "and two per centum on all such portion of said taxes as shall be collected by him after January 1st, eighteen hundred and seventy-two."

On motion of Mr. Smyrk, the Branch concurred in the amendment.

On motion of Mr. Kernan, the Branch adjourned until Monday afternoon next, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Monday, May 1, 1871.

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The Branch met pursuant to adjournment.

Present—All the members except Messrs. President and Mills.

In the absence of the President, on motion of Mr. Trippe, Mr. Crout was called to the Chair.

Mr. Weitzell offered the following resolution, which was read and referred to the Joint Standing Committee on Health :

Resolved by the First Branch of the City Council of Baltimore, That the Joint Standing Committee on Health be directed to examine into the condition of Block and Wilkes streets, near the draw-bridge, and report an ordinance providing for the paving of the same, as said streets are in a condition calculated to engender disease in the neighborhood.

Mr. Bruce offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Fire Inspector be requested to inform this Branch the cause of several fires which have recently occurred on High street, near Gay street, and also to suggest some remedy to prevent the occurrence in the future.

Mr. Weaver introduced the following ordinance, which was read :

An ordinance entitled an ordinance to change the name of Cook street to Patterson avenue.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the name of Cook street be, and the same is hereby, changed to Patterson avenue.

SEC. 2. And be it further enacted and ordained, That all ordinances, or parts of ordinances inconsistent with this ordinance be, and the same are hereby, repealed.

SEC. 3. Be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Weaver the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the ordinance authorizing a contract with the Gas Company of Baltimore for furnishing the city lamps with gas, the President accordingly announced the special order of the day, which was read.

Mr. Trippe offered the following amendment, which was read:

In section 2, at the beginning of line 3, insert "City Comptroller and Register."

The amendment was declared adopted.

Mr. Berry offered the following amendment, which was read:

"Strike out the whole of section 4."

Mr. Bond offered the following amendment to the amendment, which was read:

In line 10, section 4, strike out all after the word "hereunder."

Mr. Trippe offered the following substitute for the whole, which was read:

Section 4, strike out all after the word "cease," in line 5.



Mr. Berry and Mr. Bond withdrew their amendments.

The substitute of Mr. Trippe was declared adopted.

On a motion by Mr. Bond to reconsider the vote by which the substitute of Mr. Trippe was adopted, the yeas and nays were demanded by Mr. Bond resulting as follows:

*Nays*—Messrs. Bruce, Bond, Sommerlock, Freeberger, and Ehlers—5.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Kernan, Torsch, Price, Randall, Berry, Johnson, Weaver, and Crout—11.

The Branch refused to reconsider.

Mr. Bond offered the portion of the fourth section stricken out as an additional section, which was ruled out of order by the Chair, and he appealed from the decision of the Chair, and demanded the yeas and nays, resulting as follows:

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Kernan, Torsch, Price, Randall, Berry, Johnson, and Weaver—11.

*Nays*—Messrs. Sommerlock, Freeberger, and Ehlers—3.

The decision of the Chair was declared the decision of the Branch.

Mr. Bond offered the resolution on page 705 of the First Branch Journal of 1869 and '70, being the resolution proposing to contract with the Gas Light Company of Baltimore for the supply of gas for the city lamps, as a substitute for the pending ordinance.

The Chair ruled the substitute out of order.

On a motion by Mr. Bond to strike out the sixth section of the ordinance, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. Bond, Freeberger, and Ehlers—3.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Kernan, Ward, Torsch, Price, Sommerlock, Randall, Berry, Johnson, Weaver, and Crout—14.

The Branch refused to strike out.

Mr. Bond renewed his offer of the resolution on page 705 of the First Branch Journal of 1869 and '70 as a substitute for the whole, which was read.

The question being on the adoption of the substitute, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas* — Messrs. Bond, Sommerlock, Freeberger, and Ehlers—4.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Kernan, Ward, Torsch, Price, Randall, Berry, Johnson, Weaver, and Crout—13.

The substitute was declared lost.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Kernan, Ward, Torsch, Price, Sommerlock, Randall, Berry Ehlers, Johnson, Weaver, and Crout—15.

*Nays*—Messrs. Bond and Freeberger—2.

The title was approved, and the ordinance declared passed.

Mr. Trippe moved that the vote by which the title to the gas ordinance just passed was adopted be reconsidered.

The motion was adopted.

Mr. Trippe offered the following amendment to the title of the bill, which was read and adopted :

After the word "Baltimore" add "the People's Gas Company."

The title was approved and the bill declared passed.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the petition of Charles P. Kahler, City Surveyor, and his employees, respectfully report, that the work was done under the authority of an ordinance of the Mayor and City Council, and until the work be discontinued the city is responsible therefor. Your committee therefore recommend the passage of the following ordinance, paying for the work already done, and providing for its discontinuance:

A. C. TRIPPE,  
BENJAMIN PRICE,  
H. CROUT,

*First Branch.*

H. McCOY,

*Second Branch.*

An ordinance to pay for the survey of Jones' Falls, and discontinue the work.

SECTION 1. Be it enacted by the Mayor and City Council of Baltimore, That the sum of three thousand two hundred and five dollars be, and the same is hereby, appropriated for the payment of the City Surveyor and his employees, in full for their services in the survey of Jones' Falls.

SEC. 2. Be it further enacted and ordained, That the City Surveyor employ two draughtsmen for the space of five

days, at a salary of five dollars per day, for the completion of the plats of the surveys heretofore made.

SEC. 3. Be it further enacted and ordained, That all work on the survey of Jones' Falls, except as provided in the second section of this ordinance, cease and determine from the date of the passage of this ordinance.

SEC. 4. Be it further enacted and ordained, That immediately on the completion of the plats of the surveys of Jones' Falls, the same be filed with the City Register.

SEC. 5. Be it further enacted and ordained, That all ordinances, and parts of ordinances in conflict with this ordinance be, and the same are hereby, repealed.

SEC. 6. Be it further enacted and ordained, That this ordinance take effect from the date of its passage.

Mr. Bond moved to lay the ordinance on the table—on which

Mr. Trippe moved as an amendment that the ordinance be laid on the table and made the order of the day for Tuesday afternoon next, at 6 o'clock.

Mr. Bond withdrew his motion, and the question being on the passage of the amendment, the ordinance was declared laid upon the table, and made the order of the day for to-morrow afternoon, at 6 o'clock.

Mr. Price from the Joint Standing Committee on Claims, submitted the following report and resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Bernard Comber and Francis Connor, have examined the matter, and believe that the parties have performed the work on the Canton Market, and have never been paid therefor; and whilst the committee do not think them entitled to the full amount of \$20 each, the amount claimed by them, they are willing, with the ap-



proval of the Council, to give them one-half of this sum. The committee, therefore, report the following resolution, and recommend its adoption :

BENJ. PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

FREDERICK COOK,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Register be, and he is hereby, authorized to pay to Bernard Comber and Francis Connor the sum of ten dollars each out of any money he may have in his hands not otherwise appropriated ; provided the said parties give a proper receipt therefor.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

Mr. Sommerlock offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have the ceiling of the Lexington Market-house repaired between Paca and Green streets, and the expenses of the same be taken out of any money not otherwise appropriated.

On motion of Mr. Sommerlock, the resolution was read a second time by special order, and adopted.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

Previous to adjournment, the President, Geo. W. Bishop, Esq., made his appearance in the Branch.

By order,

W. H. COLE, *Clerk.*

Tuesday, May 2, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Smyrk and Johnson.

The President presented a petition from Francis J. Ruth, for permission to erect a kiln for burning oyster shells at Canton, which was read, and referred to the Joint Standing Committee on Health.

The President presented the following communication, which was read, and laid on the table.

Baltimore, April 29, 1871.

*To the Honorable President and Members*

*of the First Branch of the City Council of Baltimore :*

GENTLEMEN :

You have, by resolution, asked the opinions of myself and the City Solicitor whether, under the existing laws and ordinances of the Legislature and City Council “it be competent by ordinance to adopt any other than the plan commonly known as the Tyson plan” for the improvement of Jones’ Falls.

Before any legislation by the State it was not competent for the city to have assumed the powers required for the improvement of Jones’ Falls, involving condemnation of property, and assessment of benefits and damages. Accordingly, in view of the requisition of the constitution, that an ordinance to create a debt should be submitted to the popular vote, two ordinances were passed, and approved on January 31, 1870 ; one to get the power to change the line of Jones’ Falls, and make condemnations, and the other to have submitted to the people the right to create the debt of two and a half millions of dollars.

Correspondingly the legislature passed two enactments to give the distinctly asked powers. Both acts were approved on the 23d of March, 1870.

The ordinance to authorize the issue of the bonds being alone submitted to the people, so far is there from being, in any of its terms, any negation on the right of the city to change the plan "commonly known as the Tyson plan," which the companion ordinance sanctioned, it is expressly provided that the proceeds from the sale of the said bonds "shall be used for the construction of the said works for the improvement of said Jones' Falls, in the manner provided in the aforesaid ordinance, *or*, in any supplement thereto."

Further: This is to be taken in connection with the first section of the Act of Assembly which confers on the city the power to make the improvement; which, after giving a specific power to widen, deepen, and change the course of the Falls, and make avenues, provided further, "and generally to do all such things, and exercise all such powers as in the judgment of the said Mayor and City Council of Baltimore shall be necessary to be done and exercised for the accomplishment of *any* plan, or plans, for the improvement of Jones' Fall, which have been, or may be, adopted by the said Mayor and City Council of Baltimore."

I do not doubt the competency of the City Council to change any existing plan for the improvement of Jones' Falls.

Very respectfully,

WM. HENRY NORRIS,

*City Counsellor.*

I fully concur in the above opinion.

R. D. MORRISON,

*City Solicitor.*

The President presented a communication from Charles T. Holloway, Fire Inspector, in answer to the resolution of enquiry adopted May 1, 1871, which was read and referred to the Joint Standing Committee on Fire Department.

Mr. Bruce introduced an ordinance entitled "an ordinance to regulate smoke-stacks, chimneys, &c.," which was

read and referred to the Joint Standing Committee on the Fire Department.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the preamble and resolutions received from the Second Branch, being the preamble and resolutions respecting the improvement of Jones' Falls, the President accordingly announced the special order of the day, which was read.

On a motion by Mr. Bond that the preamble and resolutions lay on the table, and be made the special order of the day for Monday next, May 8, at 6 o'clock, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. President, Mills, Bond, Sommerlock, Berry, Freeberger, Ehlers, and Weaver—8.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Kernan, Ward, Torsch, Price, Randall, and Crout—10.

The Branch refused to lay the subject on the table.

The question being on the adoption of the preamble and resolutions, the yeas and nays were demanded by Mr. Randall, resulting as follows :

*Yeas*—Messrs. President, Bond, Berry, Freeberger, and Ehlers—5.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Mills, Kernan, Ward, Torsch, Price, Sommerlock, Randall, Weaver, and Crout—13.

The preamble and resolutions were declared rejected.

The hour of 6 o'clock having arrived, being the hour for the consideration of the ordinance entitled "an ordinance to pay for the survey of Jones' Falls and discontinue the work," the President announced the special order of the day, which was read.

On motion of Mr. Trippe, the ordinance was laid on the table, and made the special order of the day for to-morrow (Wednesday) afternoon, at 6 o'clock.

On motion of Mr. Crout, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.



Wednesday, May 3, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Price and Crout.

Mr. Berry presented a petition from Peter Kephart and others, for the repeal of the ordinance for the construction of the Liberty street sewer, which was read, and referred to the Joint Standing Committee on Highways.

Mr. Mills presented a petition from Wm. Pinkney Whyte and others, for the repeal of the ordinance requiring hack-drivers to wear numbers on their hats, which was read, and referred to the Joint Standing Committee on Police and Jail.

Mr. Mills presented a petition from Jacob Myers and others, for the erection of a fire alarm box at the corner of Eden and Chase streets, which was read, and referred to the Joint Standing Committee on Fire Department.

Mr. Mills presented a petition from R. S. Harderty, proposing to sell to the city property adjoining the Bayview Asylum, which was read, and referred to the Joint Standing Committee on Almshouse.

Mr. Torsch, from the Joint Standing Committee on Markets, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Markets, to whom was referred the petition to whitewash and repair Broadway Markets, respectfully report that they have considered the matter, and offer the following resolution :

JOHN W. TORSCH,  
THOS. P. KERNAN,  
G. MORRIS BOND,

*First Branch.*

WILLIAM H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized to have Broadway Markets whitewashed and repaired, and that the sum of one hundred dollars (\$100), or so much as may be necessary, be appropriated therefor.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

Mr. Torsch, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Fire Department, to whom was referred the petition of Messrs. Kirk, Hemmell & Co., asking permission to roof the shed over a two-story brick stable in rear of their shop, No. 1 Orchard street, beg to report that they have examined the premises, and can find no reason why the prayer of the petitioners should not be granted. They therefore offer the following resolution, and ask its adoption :

S. SANDS MILLS,  
JOHN W. TORSCH,  
J. C. RANDALL,

*First Branch.*

FREDERICK COOK,  
DANIEL CONSTANTINE,  
J. I. GROSS,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission is hereby granted the Messrs. Kirk, Hemmell & Co., to roof a shed over a two-story brick stable in rear of their shop, No. 1 Orchard street, they first applying to the City Commissioner, and complying with the ordinances governing such matters.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the resolution authorizing the City Commissioner to pay for the grading, curbing, and paving of the intersections of St. Paul and Chase streets, and of Chase street and Hargrove alley, in accordance with existing law, beg to report that they have given the subject due consideration, and beg to offer the following resolution :

S. SANDS MILLS,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to pay for the grading, curbing, and paving of the intersections of St. Paul and Chase streets, and of Chase street and Hargrove alley, out of any money in the City Treasury appropriated for paving, curbing, and grading intersections of streets.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Charles H. Mercer and others, in regard to the tunnelling of that part of Harford Run which occupies the bed of Ann street, between Barnes street and Belair avenue, respectfully report that they have examined the premises in question, and having carefully considered the subject in all its bearings, beg leave to report, that in view of the fact of the uncovered condition of the filthy waters of this run between the points named, to which public attention has been called in the late report of the Commissioners of Health, as a nuisance, injuriously affecting the health of the whole region, and the consequent

drawback which, for a long time, it has been to the thriving neighborhood, in the immediate locality, as well as an obstacle to further improvements which would, if the Run were promptly tunneled, increase in a short time the amount of taxation to a figure more than equal to the outlay necessary to remedy the evil complained of; they think the improvement asked for highly desirable and necessary, and therefore beg leave to submit, and ask the passage of, the following resolution:

S. SANDS MILLS,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to advertise for proposals for the tunnelling of Harford Run, where it occupies the Bed of Ann street, commencing at Barnes street and connecting with the present arch under Belair avenue, and to give out the said work to the lowest responsible bidder, and to superintend and direct the construction of the said tunnel in a manner which in his opinion will safely accommodate the waters of said run between said points; and the sum of seventeen thousand dollars (\$17,000), or so much thereof as may be necessary be, and the same is hereby, appropriated therefor, to be taken out of the annual levy of 1871.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Highways, to whom was referred the petition of Henry McCaffrey, asking permission to reduce the sidewalk on one part of Wine alley and widen the other to five feet, beg to report that they



have examined into the matter, and beg to offer the following resolution :

S. SANDS MILLS,

*First Branch.*

JOHN MILROY,

JESSE R. OGLE,

WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and it is hereby, granted to Henry McCaffrey to extend his sidewalk on Wine alley, at the intersection of German street, to the width of five feet, the north end of the sidewalk to be reduced one foot, for the purpose of making the sidewalk uniform from German street to his building line on said alley, the work to be done under the supervision of the City Commissioner.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Col. Wm. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a sealed communication from his Honor, the Mayor.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of W. W. Glenn, and others, asking that a small culvert be built across Monument street, over the branch running in the bed of Patapsco street, respectfully state that, upon an examination of section named in said petition, discover that the said Monument street is about being graded and paved to the Eastern city limits, and that in order to prosecute said work with effect, it is necessary that a culvert should be built to properly carry off the water.

Your Committee have had an interview with the City Commissioner on the subject, and he informs them he thinks it a necessary work. They therefore offer the following resolution and respectfully ask its adoption :

S. SANDS MILLS,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have constructed a culvert of proper dimensions across Monument street, over the Branch in the bed of Patapsco street, for the purpose of carrying off the the water, and that the sum of one thousand dollars, or so much thereof as may be necessary, be and the same is appropriated therefor, to be taken out of the levy of 1871.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Torsch, a committee of two was appointed to invite the Second Branch into convention on a sealed communication from his Honor the Mayor.

The Chair appointed as committee Messrs. Torsch and Weaver.

Mr. Freeberger, from the Joint Standing Committee on Parks, submitted the following report and resolution, which were read :

The Joint Standing Committee on Parks, to whom was referred the condition of the Eastern Spring, and the necessity of making an appropriation for a supply of seats to accommodate the public, would respectfully report that they have examined the matter, and deem such an appropriation

both necessary and proper, and would respectfully recommend the adoption of the following resolution :

J. H. FREEBERGER,  
HENRY WEITZELL,  
JOS. G. JOHNSON,

*First Branch.*

JESSE R. OGLE,  
JOHN MILROY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to provide the Eastern Spring with seats for the accommodation of the public, and that the sum of three hundred dollars, or so much thereof as may be necessary, is hereby appropriated for that purpose, to be taken out of the levy for 1871.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

Mr. Torsch, from the committee appointed to invite the Second Branch into convention, reported that the Second Branch accepted the invitation, on condition that no other business be transacted except that contained in the sealed communication.

Mr. Johnson proposed a message to the Second Branch, to the effect that the two Branches go into convention on a sealed communication from his Honor the Mayor, and not for the election of Jones' Falls Commissioners.

Mr. Mills moved the matter be laid on the table, on which Mr. Mills demanded the yeas and nays, resulting as follows :

*Yeas*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, and Berry—7.

*Nays*—Messrs. President, Weitzell, Kernan, Ward, Torsch, Sommerlock, Freeberger, Ehlers, Johnson, and Weaver—10.

The motion to lay on the table was declared lost.

The question recurring on the adoption of the message, the yeas and nays were demanded by Mr. Randall, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Kernan, Ward, Torsch, Sommerlock, Freeberger, Ehlers, Johnson, and Weaver—10.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Mills, Randall, and Berry—7.

The message was ordered to be sent.

Mr. Freeberger, from the Joint Standing Committee on Parks, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Parks, to whom was referred the resolution to authorize the Park Commissioners to extend Battery Square, beg leave respectfully to report, that they found, upon examination of the land necessary to be purchased or condemned, in order to extend the said square to the shore of the Patapsco river, that it is now almost destitute of improvements ; and if it is desirable that this extension should be made, the purchase or condemnation of the land be completed without delay.

Your committee are of opinion that the extension suggested would be a most desirable improvement.

At the suggestion of Mr. Latrobe, in eighteen hundred and sixty-nine, Mr. A. Faul, Civil Engineer, was employed to prepare a plat, showing the courses, distances, and area of the land proposed to be taken. The result is exhibited by the plat herewith submitted, reference to which will show that the area between Randall street and the railroad, within the green lines described on the plat, will be twenty-three and one-eighth acres, and that thirty-one and a quarter acres are comprised within said lines between the railroad and the Patapsco river.



The whole property lying between said lines, and including Battery Square, would form a park of fifty-nine and three-quarter acres. The highest point of Battery Square rises to an elevation of eighty-seven feet above tide-water, and affords a water view of great beauty, revealing, as it does, a great part of our lower harbor, with Fort Carroll in the distance.

There can be no doubt that South Baltimore must, at no distant day, become the most valuable part of the city, because of its contiguity to the water; and it is equally certain that its population will be largely increased.

It is therefore thought by the committee that at no future time can this improvement be made, without an expenditure greatly in excess of what would be the present cost. Your committee are of opinion, from their examination of the square and its surroundings, that accompanying resolutions should be passed without unnecessary delay, as improvements of a costly character may reasonably be expected to be erected at an early day upon the land proposed to be taken. This would be greatly to be regretted, because the view of the harbor, now so much admired, would be obstructed, if not entirely destroyed, and it is quite possible that the expense in such case might prevent the proposed extension. Your committee also desire to say that, the prospective increase of population in South Baltimore, as already referred to, makes the proposed improvement very desirable in a sanitary point of view. For the reasons briefly above stated, your committee respectfully recommend the adoption of the accompanying resolutions:

JACOB H. FREEBERGER,  
HENRY WEITZELL,  
JOS. G. JOHNSON,

*First Branch.*

JESSE R. OGLE,  
JOHN MILROY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore,  
That the Park Commissioners be, and they are hereby,

authorized and instructed to purchase the property contained within the green lines on the plat herewith submitted, for the purpose of extending Battery Square, together with such other contiguous property as may be necessary for the establishment of the one hundred foot avenue laid down on said plat.

Resolved, That should the Park Commissioners find the said purchase impracticable, they shall take the necessary steps to have said property condemned.

Resolved, That the plat above mentioned be filed in the office of the City Commissioner.

Pending the reading of the report—

On motion of Mr. Johnson, further consideration of the report and resolutions was temporarily suspended, as the hour of 6 o'clock had arrived, being the hour for the consideration of the ordinance providing for the pay of the City Surveyor and his employees in the matter of the surveys of Jones' Falls.

The President accordingly announced the special order of the day, the reading of which was proceeded with.

During the reading of the third section of the bill, the members of the Second Branch appeared and took seats, in the chamber and, on motion of Mr. Trippe, further consideration was temporarily suspended.

The two Branches then went into convention on a sealed communication from his Honor the Mayor, and, after remaining for sometime, the members of the Second Branch returned to their chamber.

Business being resumed, the consideration of the ordinance for the payment of the surveys for Jones' Falls improvement was proceeded with and read.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, and Weaver—17.

*Nays*—Mr. Bond—1.

The ordinance was declared passed, and the title approved.

On motion of Mr. Johnson, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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Thursday, May 4, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Bruce presented a petition from John Hurst and others, for the laying of gas mains on Chester street, between Gay and Low streets, which was read and referred to the Joint Standing Committee on City Property.

Mr. Torsch proposed a message to the Second Branch that when the Council adjourn this evening it stand adjourned until Tuesday afternoon next, at 5 o'clock.

The message was ordered to be sent.

The President announced that the next business in order was the unfinished business, viz., the consideration of the resolutions for the extension of Battery Square, which were taken up and read.

Mr. Trippe offered the following amendment, which was read :

Provided that not more than the sum of \$81,000 be paid therefor, either in case of purchase or condemnation.

Mr. Berry offered the following amendment to the amendment, which was read :

Strike out "\$81,000" in the amendment, and insert in lieu thereof "\$100,000."

The question being on the amendment to the amendment, it was declared adopted.

The question recurring upon the adoption of the resolutions, they were declared adopted.

The following message was received from the Second Branch, and read :

IN SECOND BRANCH,  
Baltimore, May 4, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition that when the Council adjourn this evening, it stand adjourned until Tuesday next, May 8th, at 5 o'clock, P. M.

By order,

GEO. T. BEALL, Jr., *Clerk.*

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Frederick Roche, for the condemning of Duncan alley, between Pratt and Gough streets, respectfully report that, after having visited the location



named, deem it advisable and proper to condemn said alley as a public highway. Your committee, therefore, offer the following ordinance, and respectfully ask its passage :

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch,*

JOHN MILROY,  
JESSE R. OGLE,  
W. H. VICKERY,

*Second Branch.*

An ordinance to declare the bed of Duncan alley, between Pratt and Gough streets, a public highway.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the bed of Duncan alley, between Pratt and Gough streets, as laid down on Poppleton's plat of the city, be, and the same is hereby, condemned as a public highway, and shall be subject to all ordinances relating to streets, lanes and alleys in the city of Baltimore.

On motion of Mr. Smyrk, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Water, to whom was referred the petition of Warner Knoble, for permission to erect a patent pump, respectfully report that they see no reason why the request should not be granted, and recommend the adoption of the following resolution :

G. MORRIS BOND,  
LEWIS EHLERS,  
JOHN M. BRUCE,

*First Branch.*

FREDERICK COOK,  
DANIEL CONSTANTINE,  
JOHN MILROY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted Warner Knoble to erect, at his own expense, a patent pump in front of his premises, corner of Canton avenue and Port street.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Health, to whom was referred the petition of Wm. Hoffman, asking an examination of the condition of the bed of Columbia street, between Paca and Green streets, respectfully ask the attention of the Health Commissioner to the locality in question and ask the adoption of the following resolution :

G. MORRIS BOND,  
J. HARRY WEAVER,

*First Branch.*

A. W. DUKE,  
J. I. GROSS,  
JESSE R. OGLE,

*Second Branch.*

Resolved, That the Committee be discharged from the further consideration of the subject.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

Mr. Crout offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the City Register be, and he is hereby, directed to pay to the reporters of this Branch \$100 each—that is to say, to John Starr, Jr., reporter of the American, \$100 ; to Wm.

B. Krout, reporter of the Sun, \$100 ; to Chas. F. Meaney, reporter of the Gazette, \$100 ; and to W. H. Cole, reporter of the Bulletin, \$100—the said amounts to be taken out of the diary for 1871.

Mr. Mills offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That a special committee of three be appointed by the President of the Branch to inquire by what authority, or under what law, whether State or municipal, the People's Gas Company has been, or is now, running gas mains through the highways of the city of Baltimore.

The Chair appointed as the committee Messrs. Mills, Randall and Crout.

Mr. Sommerlock offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the old dry pump on the north side of Mulberry street near Chatsworth street removed and the well properly covered and secured.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That the chief Clerk be, and he is hereby, directed to furnish the members with a list of the unfinished business before the Branch.

Mr. Johnson offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That the Joint Standing Committee on Parks be, and they are hereby, instructed to inquire into the expediency of making an appropriation to Union Square.

The Second Branch returned the resolution providing for seats in the Eastern Spring, with the following amendment, which was read :

Before the word "seats" insert the word "wooden."

On motion of Mr. Sommerlock, the Branch concurred.

The Second Branch returned the resolution granting permission to Wm. Schloss to build a frame summer kitchen, with the following amendment, which was read :

Add after last paragraph, "provided he comply with all ordinances existing in regard to frame sheds, bath-houses, &c."

On motion of Mr. Sommerlock, the Branch concurred.

Mr. Kernan offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Aisquith street from Harford avenue to Point lane.

On motion of Mr. Kernan, the resolution was read a second time, by special order, and adopted.

Mr. Mills introduced an ordinance entitled "an ordinance to repeal so much of an ordinance entitled 'an ordinance to condemn and close the Liberty road, from Gilmor street to Fulton street, and to condemn and open in lieu thereof a street of the width of 60 feet, located 276 feet south of Baker street, offered Nov. 17, 1870,' as authorizes



and empowers the Commissioners for Opening Streets to condemn and open a street of the width of 60 feet, as therein set forth," which was read, and, on motion of Mr. Trippe, referred to the Joint Standing Committee on Highways.

Mr. Mills introduced an ordinance entitled "an ordinance to condemn and open Presstman street, from Gilmor street to Munroe street," which was read and referred to the Joint Standing Committee on Highways.

The Second Branch returned the following ordinances, respectively endorsed "passed:"

An ordinance authorizing a contract with the Gas Company of Baltimore and the People's Gas Company for furnishing the city lamps with gas.

An ordinance to pay for the survey of Jones' Falls and discontinue the work.

An ordinance to grade and pave Hall alley, between Cross and Clement streets.

An ordinance entitled "an ordinance to change the name of Cook street to Patterson avenue."

The Second Branch returned the following resolutions, respectively endorsed "adopted:"

Resolution in favor of Jacob Beck.

Resolution instructing the Port Warden in relation to the appropriation for his department for the year 1871, so far as refers to the Spring Gardens.

Resolution in favor of Bartlett, Robbins & Co.

Resolution in favor of Joshua Register.

Resolution in favor of Bernard Comber and Francis Connor.

Resolution in favor of Messrs. Kirk, Hemmel & Co.

Resolution for the grading, curbing and paving of the intersection of St. Paul and Chase streets, and Chase street and Hargrove alley.

Resolution authorizing the whitewashing, etc., of Broadway Market.

Resolution authorizing the repair of the ceiling of Lexington Market.

Resolution authorizing the building of a culvert across Monument street, in the bed of Patapsco street.

Resolution authorizing the tunneling of Harford run where it occupies the bed of Ann street.

Resolution in relation to the track on Howard street.

Resolution for the removal of pump on the south side of Monument street, near Stirling.

The Second Branch returned the resolution in favor of Henry McCaffrey, with the following amendment, which was read :

After the words "City Commissioner," add the words "the work to be done at the expense of the said McCaffrey."

On motion of Mr. Sommerlock, the Branch concurred.

On motion of Mr. Kernan, the Branch adjourned until Tuesday afternoon next, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Tuesday, May 9, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Trippe, Mills, Kernan and Johnson.

Mr. Bond presented a petition from Carey & Co., for permission to construct a switch at their coal yard on the corner of Cathedral and Howard streets, which was read, and referred to the Joint Standing Committee on Highways.

Mr. Price presented a petition from Wm. Colton and others, for permission to erect frame bath-houses at Nos. 276 and 278 Druid Hill avenue, which was read and, temporarily, laid on the table.

Mr. Sommerlock presented a petition from John Feast and others for the opening of Josephine street, from Chatsworth to Pearl streets, which was read, and referred to the Joint Standing Committee on Highways.

Mr. Freeberger, from the Joint Standing Committee on Parks, submitted the following report and accompanying ordinance and resolution, which were read :

The Committee on Parks present respectfully the following report in reference to appropriating \$21,000 for certain purposes in Druid Hill Park, and condemning the land within its limits not already belonging to the city, as suggested by the Park Commission.

The Committee have had explained to them the objects which the Park Commissioners have in view. \$10,000 of the proposed appropriation is for laying down pipes to supply fountains for drinking purposes, and affording facilities for watering the roads. No one who has visited Druid Hill Park in dry weather can doubt the importance of so much of the Park Commissioners' application.

The remaining \$11,000 is required for the erection of a house for the Superintendent of Police, under whose charge is the stock at the Park, along with the necessary stabling not far from the Chinese Station. The present dwelling of the Superintendent, and its appertenant out-buildings for horses, carts, &c., are temporary structures, which are wholly out of place, and altogether unsightly. They occupy a site which the completion of Druid Lake will make one of the most prominent and interesting portions of the Park, and the sooner they can be removed the better. The plans of the Commission have been shown to the Committee, and seem to be altogether appropriate and judicious.

With regard to the condemnation of the property within the limits of the Park, the Committee are of opinion there should be no hesitation. What it will cost to make the condemnation, it is difficult, of course, to say. This will depend upon the juries empannelled for the purpose. One thing is certain, however, that the longer the condemnation is delayed, the more the city will have to pay; inasmuch as, to permit the property in question to belong to parties unrestricted in the use they may make of it, is not to be thought of.

The committee are satisfied that the matters here referred to are beyond the means of the Park Commission to accomplish, without the aid of the city, and at the same time to maintain the Park in proper order, and carry on the various improvements that the public convenience imperatively demands.

The committee report herewith an ordinance and resolution, embodying the views here expressed.

J. H. FREEBERGER,  
HENRY WEITZELL,  
JOS. G. JOHNSON,

*First Branch.*

JESSE R. OGLE,  
JOHN MILROY,

*Second Branch.*



An ordinance for the benefit of Druid Hill Park.

SECTION 1. Be it enacted by the Mayor and City Council of Baltimore, That the sum of twenty-one thousand dollars be, and the same is hereby, directed to be paid out of any moneys unappropriated in the treasury, on the requisition of the Public Park Commission, to be applied to the erection, in Druid Hill Park, of a house for the Superintendent of Police, and laying water mains to facilitate the watering of the roads, as well as supplying fountains.

SEC. 2. Be it enacted that this ordinance shall take effect from its passage.

Resolution concerning Druid Hill Park.

Be it resolved by the Mayor and City Council of Baltimore, That it is expedient to procure, by condemnation if necessary, all the land lying within the present limits of Druid Hill Park, not already the property of the city.

On motion of Mr. Weitzell, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

On motion of Mr. Bruce, the resolution accompanying the report was read a second time, by special order, and adopted.

Mr. Weitzell offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller have gas mains laid in Bank street, between Chester and Choptank streets.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

Mr. Weitzell offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have removed the old flag pole in front of Broadway Institute, and that the sum of twenty dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated therefor.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

Mr. Torsch offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized to lay an Asphaltum pavement in the new Lexington Market.

On motion of Mr. Torsch, the resolution was referred to the Joint Standing Committee on Markets.

Mr. Price offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That Wm. Colton and E. G. Lawrence be, and they are hereby, authorized and permitted to erect a second story frame addition to their premises, and on the back building thereof, at Nos. 276 and 278 Druid Hill avenue, the same to be used as bath rooms.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, directed to have gas mains laid down on Garden street, between Madison and Monument streets.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

Mr. Price introduced an ordinance entitled "an ordinance to make further provision for the improvement of Jones' Falls, and authorizing the examination of additional plans," which was read.

On motion of Mr. Price the ordinance was laid on the table, and made the order of the day for to-morrow afternoon at 15 minutes of 6 o'clock.

The Second Branch returned the resolution to lay gas mains on Aisquith street, with the following amendment, which was read :

Strike out "Harford avenue," and insert "John street."

On motion of Mr. Bruce the amendment was concurred in.

The Second Branch returned the resolution granting permission to Warner Knoble to erect a patent pump, with the following amendment, which was read :

Add to end of resolution the words, "the work to be done under the supervision of the Water Engineer."

On motion of Mr. Weitzell, the amendment was concurred in.

The Second Branch returned the ordinance entitled "an ordinance to declare the bed of Duncan alley, between Pratt and Gough streets, a public highway," endorsed "passed."

The Second Branch returned the following resolutions, severally endorsed "adopted :"

Resolution in reference to the examination of Columbia street.

Resolution to have an old pump stock removed on Mulberry street, near Chatsworth.

Resolution authorizing Messrs. Baker Brothers & Co. to extend two platform piers into the harbor.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to lay proper flag stones across Church street, at the corner of Hanover street.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

The following ordinance was received from the Second Branch and read:

An ordinance to provide for proper notice of changes of the Port Warden's line, and applications for the extension of piers, &c.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That no ordinance or resolution granting the privilege of the extension of wharves or piers into the harbor, or the changing of the Port Warden's line as now established, shall be considered or passed at the instance of petitioners to the City Council, unless four weeks previous notice of the application shall have been given in at least two of the daily newspapers published in the English language, and one in the German language, in the city of Baltimore, by advertisement inserted twice a week therein for four successive weeks; nor shall any ordinance or resolution be considered or passed by the City Council for the said purpose when offered by a member of the City Council, or by a committee thereof, upon his or their own suggestion, without any petition or memorial upon the subject, unless he or they shall announce his or their intention so to do at least fifteen days before the same shall be offered, and file at the same time with the Clerk, to be published on the Journal, a definite statement of the privilege or change which is proposed to be given or made in the premises.



SEC. 2. And be it enacted and ordained, That all ordinances, and parts of ordinances, inconsistent with this ordinance are hereby repealed, and that this ordinance shall take effect from and after the date of its passage.

On motion of Mr. Ehlers, the ordinance, was read a second time, by special order.

Mr. Bond offered the following amendment, which was read :

Add at the end of Section 2, " Provided, however, that nothing herein contained shall apply to privileges already asked, and now under consideration of this Council or any Committee thereof."

By permission of the Branch, the amendment was withdrawn.

The question recurring on the passage of the ordinance, the title was approved, and the ordinance declared passed.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Port Warden be, and he is hereby, authorized and directed to have fenders or guards placed on the margin or edges of all city wharves, so as to protect drays, carts and wagons from going into the docks ; the cost of the same to be paid for out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Highways, with the following ordinance, was received from the Second Branch and read.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to William E. Hooper, trustee of Kelso Chappel, Philip Bandel, and Peter Ringsdorf, to extend their building line on Gough street, where it intersects Little Gough street, four feet.

On motion of Mr. Ehlers the ordinance was read a second time, by special order.

Mr. Weaver offered the following amendment, which was read :

“ An ordinance authorizing William E. Hooper, trustee of Kelso Chappel, Philip Bandel, and Peter Ringsdorf to extend their building line on Gough street.”

The amendment was declared adopted.

The question recurring on the passage of the ordinance, the title was approved, and the ordinance declared “passed” as amended.

A report from the Joint Standing Committee on Parks, with the following ordinance, was received from the Second Branch and read:

An ordinance to fix the salary of the keeper of Lafayette Square.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the salary of the keeper of Lafayette Square be, and the same is hereby, fixed at the sum of three hundred and fifty dollars per annum.

SEC. 2. And be it further enacted and ordained by the Mayor and City Council, That this ordinance shall take effect from the first of March, 1871.

On motion of Mr. Weaver, the ordinance was read a

second time, by special order, title approved, and the ordinance declared passed.

A report of the Joint Standing Committee on Fire Department, with the following resolution, was received from the Second Branch and read:

Be it resolved by the Mayor and City Council of Baltimore, That the Superintendent of the Fire Alarm Telegraph be, and he is hereby, directed to extend the Fire Alarm Telegraph out Greenmount avenue to North avenue, and place a fire alarm box at that point, and that the sum of seven hundred dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, the same to be taken out of any money not otherwise appropriated.

On motion of Mr. Smyrk the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Parks, with the following ordinance, was received from the Second Branch and read :

An ordinance making the annual appropriation for the use of Lafayette Square for 1871.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the sum of six hundred dollars be, and the same is hereby, appropriated for the keeping up of Lafayette Square for the year 1871, the same to be taken out of the appropriation for parks.

On motion of Mr. Torsch, the ordinance was read a second time by special order.

Mr. Crout offered the following amendment, which was read:

Strike out the words "the same to be taken out of the

appropriation for parks," and insert "to be taken out of any money in the city treasury not otherwise appropriated."

The amendment was declared adopted.

The question recurring on the passage of the ordinance, the title was approved, and the ordinance declared passed as amended.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have a gas lamp placed in front of St. Joseph's Church, on the corner of Barre and Howard streets.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

A report of the Joint Standing Committee on Markets; with the following resolution, was received from the second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to advertize for proposals for the rebuilding of the Belair Market House, according to law, and that the sum of thirty-eight hundred (\$3,800) dollars, or so much thereof as may be necessary be, and the same is hereby, appropriated for the purpose, to be taken out of the appropriation for markets for 1871.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

An ordinance entitled "an ordinance supplementary to an ordinance entitled 'an ordinance making further provision for the improvement of Jones' Falls; approved March 27, 1871,'" was received from the Second Branch, read, and laid on the table.



Mr. Smyrk, from the Committee of Conference on the disagreeing vote, in relation to the extension of the Port Warden's line, in the Cove at Canton, submitted the following report, and accompanying resolution, which were read.

The Committee of Conference on the disagreeing vote of the two Branches in relation to the ordinance authorizing the extension of the Port Warden's line, in the Cove at Canton, respectfully state that, after having investigated the question which gave rise to the appointment of a Committee of Conference, they find that it would be injudicious to add the amendment, sought to be incorporated in the ordinance of the Conference Committee.

Your committee would state that, on the evening of the demand for the Committee of Conference in the first Branch, that certain members of the committee were under the impression that it was only right and proper that there should be a provision inserted, authorizing the Mayor to give notice for the removal of the piers asked for by the parties in interest, and that said piers should be removed by sixty days' notice therefor. But learning since that such provision is entirely unnecessary, your committee therefore offer the ordinance as originally passed by both Branches, and respectfully ask the adoption of the following resolution:

A. E. SMYRK,  
J. C. RANDALL,

*First Branch.*

JOHN MILROY,  
DANIEL CONSTANTINE,

*Second Branch.*

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Wednesday, May 10, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Bruce, Smyrk, Mills, Kernan, Torsch, Ehlers, and Weaver.

On a call of the Branch, it appearing that no quorum was present, Mr. Johnson moved to adjourn.

The question being on the motion to adjourn, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Trippe, Ward, Berry, Freeberger, and Johnson—7.

*Nays*—Messrs. Hudgins, Bond, Price, Sommerlock, Randall, and Crout—6.

The Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

The following resolutions and ordinances were presented to the Mayor on the dates named:

April 28th—

Resolution authorizing Richard Holmes to build a frame bath-house.

Resolution authorizing Ellen Ellis to sink a well.

Resolution authorizing William J. Lloyd to erect a brick stable.

Resolution authorizing the Maryland Academy of Art to construct a frame building.

Resolution for the purchase of Winans Chapel for the use of male and female colored schools.

Resolution authorizing C. F. Wortman to sink a well.

Resolution permitting C. Search to lay a drain pipe.

Resolution permitting Knight and Marchant to lay a drain pipe.

Resolution for the removal of an old pump stock at the corner of Lombard street and Callender alley.

Resolution for the repair of a pump on Thames street, between Broadway and Ann street.

Resolution to erect gas lamps at the intersection of all streets crossing Cooke street between Fremont and Gilmore streets.

An ordinance to declare the bed of Byrd street, between Fort and Randall streets, a public highway.

An ordinance to appoint an additional lamplighter for the Middle District.

An ordinance entitled "an ordinance to open and condemn Register street between Lancaster and Thames streets.

April 29th—

An ordinance in relation to the pay, bond &c., of the City Collector.

May 5th—

An ordinance to pay for the surveys of Jones' Falls, and discontinue the work.

An ordinance authorizing a contract with the Gas Company of Baltimore and the People's Gas Company, for furnishing the city lamps with gas.

#### APPROPRIATIONS.

Amount heretofore stated.....	\$53,197 26
Resolutions for purchase of Winans' Chapel and refitting the same.....	7,800 00
An ordinance to pay for the surveys of Jones' Falls.....	3,205 00
	<hr/>
	\$64,202 26

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Thursday, May 11, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Kernan and Price.

Mr. Hudgins presented a petition from John M. McDonald and others, for the grading of Mill street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Mills presented a petition from W. B. Miller and others, for the condemnation of Eager street, between Bond and Gay streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bond presented a petition for an appropriation for Andrew J. George, clerk of the Baltimore City Court, for \$150, for the construction of a book and paper case, which was read and laid on the table.



Mr. Bond presented a protest from Thomas C. Butler and others, against granting permission to Cary & Co. to construct a switch to their coal yard, and for the removal of the track between Howard and Cathedral streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bond presented a petition from C. Stack & Sons and others, adverse to preceding petition, which was read and referred to the Joint Standing Committee on Highways.

Mr. Randall presented a petition from John F. Metz and others, to place gas mains on Vine street, between Pine and Poppleton streets, which was read and referred to the Joint Standing Committee on City Property.

Mr. Johnson presented a memorial from E. Adams & Son and others, for the extension of Hollins Street Market, which was read and referred to the Joint Standing Committee on Markets.

Mr. Johnson presented a petition from Paul Fillinger & Co. and others, for the grading of Lemon street, between Schroeder street and Holland alley, which was read and referred to the Joint Standing Committee on Highways.

The President presented an invitation to attend the Western Female High School entertainment to-morrow afternoon, at 8 P. M., which, on motion of Mr. Berry, was accepted.

The following message was received from the Second Branch, and read :

IN SECOND BRANCH,  
Baltimore, May 11, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, May 15, at 5 o'clock.

By order,

GEO. T. BEALL, Jr., *Clerk.*

The question being on the concurrence, the yeas and nays were demanded by Mr. Berry, resulting as follows :

*Yeas*—Messrs. Trippe, Smyrk, Mills, Torsch, Bond, Randall, Ehlers, Johnson, and Weaver—9.

*Nays*—Messrs. President, Weitzell, Hudgins, Bruce, Ward, Berry, Freeberger, and Crout—8.

The Branch concurred in the subject of the message.

The special order of the day, being “the ordinance to make further provisions for the improvement of Jones’ Falls, and authorize the examination of additional plans,” was taken up for consideration.

On a motion by Mr. Trippe that the ordinance be laid on the table and made the special order for next Monday, May 15, at 5½ o’clock, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Bond, Berry, Ehlers, Johnson, and Weaver—12.

*Nays*—Messrs. President, Mills, Randall, Freeberger, and Crout—5.

The ordinance was declared laid on the table, and made the special order of the day for next Monday afternoon, May 15, at 5½ o’clock.

Mr. Bond introduced an ordinance entitled “an ordinance authorizing John T. Ford and others to construct a city passenger railway track through certain streets of the city,” which was read and referred to the Joint Standing Committee on City Passenger Railways.

Mr. Crout offered the following resolution, which was read :

Whereas, the subject of the improvement of Jones’ Falls is one of great interest to the citizens of Baltimore, and in

its present condition exposes the people living on its borders to sickness as well as continual apprehension from probable floods and destruction of property and life: therefore, be it

Resolved by First Branch City Council of Baltimore, That it is the sense of this Branch that its improvement on some plan should be commenced without unnecessary delay.

The question being on the adoption of the resolution, the yeas and nays were demanded by Mr. Crout, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Randall, Berry, Freeberger, Ehlers, Johnson, Weaver, and Crout—17.

*Nays*—None.

The resolution was declared adopted.

Mr. Bond called up the ordinance received from the Second Branch, entitled “an ordinance supplementary to an ordinance entitled ‘an ordinance making further provision for the improvement of Jones’ Falls,’ approved March 27, 1871,” which was read.

On a motion by Mr. Trippe to lay the ordinance on the table, and make it the special order of the day for next Monday afternoon, May 15th, at 6 o’clock, the yeas and nays were demanded by Mr. Mills, resulting as follows:

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Sommerlock, Randall, Berry, Johnson, and Weaver—12.

*Nays*—Messrs. President, Mills, Bond, Freeberger, Ehlers, and Crout—6.

The ordinance was declared laid on the table, and made the special order of the day for Monday afternoon at 6 o’clock.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Thornton Connelle asking the privilege to construct a sewer from his house, on the corner of E. Baltimore street and Castle alley, beg to report that they have examined the premises and offer the following resolution and ask its adoption :

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
W. H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission is hereby granted to Thornton Connelle to construct a sewer or drain from his building, on the corner of East Baltimore street and Castle alley, to run on Castle alley to Baltimore street, thence westwardly, to terminate midway between said Castle alley and Washington street, the said Connelle to replace the street in good condition.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the clerk of the Baltimore City Court be, and he is hereby, authorized to have constructed a suitable case or cases to contain the books and papers of his office, and that the sum of one hundred and fifty (\$150) dollars, or so much



thereof as may be necessary be taken out of any money not otherwise appropriated to meet the expenses of the same, the said work to be done under the supervision of the City Commissioner.

On motion of Mr. Freeberger the resolution was read a second time, by special order, and adopted.

Colonel William Robertson, secretary to the Mayoralty, appeared at the bar of the Branch with a message from his Honor, the Mayor.

The President presented the following communication from his Honor, the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,\*

Baltimore, May 11, 1871.

*To the Honorable President and Members of the  
First Branch of the City Council :*

GENTLEMEN :

I have the honor to inform you that the following named ordinances and resolutions, which originated in your Branch, have been duly signed by me and placed on file in the office of the City Register, according to law.

An ordinance to lay and collect a tax for the payment of the expenses of opening certain streets; approved April 14, 1871.

An ordinance to lay and collect a tax for the redemption of the City Hall stock; approved April 14, 1871.

An ordinance to provide for the payment of interest on loans obtained by the city for the purpose of prosecuting the works of internal improvement; approved April 14, 1871.

An ordinance to provide for the payment of sundry expenses of the Criminal Court of Baltimore, for the City Poor in the Almshouse of Baltimore city, the House of Refuge, Aged Women's Home, the Dispensaries, the Chil-

dren's Aid Society, the Association for Improving the Condition of the Poor, etc., etc., for the year eighteen hundred and seventy one ; approved April 14, 1871.

An ordinance to lay and collect a direct tax for the year eighteen hundred and seventy one ; approved April 14, 1871.

An ordinance to provide for the paving and grading of Spring street, between E. Biddle and John streets ; approved April 14, 1871.

An ordinance for the payment of the expenses of the Public Schools in the city of Baltimore for the year eighteen hundred and seventy one ; approved April 14, 1871.

An ordinance to lay and collect a direct tax for the use of the state for the year eighteen hundred and seventy one ; approved April 14, 1871.

An ordinance to lay and collect a tax for the support of the police of Baltimore city for the year eighteen hundred and seventy one ; approved April 14, 1871.

An ordinance to provide for the payment of interest on the Park, Park Improvement, Extension of Water Works, Almshouse, Court House, and miscellaneous bonds ; approved April 14, 1871.

An ordinance to relieve certain property holders on Park street from assessment for benefits imposed on them for the opening of said street, under ordinance number sixty of 1868, and for returning said benefits, in cases where they have been paid to the city ; approved April 14, 1871.

An ordinance to lay and collect a direct tax for the repair of highways and bridges in certain parts of the city of Baltimore, and the necessary grading and masonry required for the construction of the same ; approved April 14, 1871.

An ordinance to lay and collect a tax for the payment of certain expenses of the Courts, Jail, &c., for the year eighteen hundred and seventy one ; approved April 14, 1871.

An ordinance authorizing the Gold and Stock Printing Telegraph Company to erect telegraph poles in certain streets

in the city of Baltimore, and to use the poles of the Fire Alarm Telegraph in the extension of their line; approved April 25, 1871.

An ordinance to provide for the paving of Warner street; approved April 24, 1871.

An ordinance amendatory of section 2 of Article 24 of the Baltimore City Code; approved April 24, 1871.

An ordinance to carry into effect the provisions of an Act of the General Assembly of Maryland, passed January session, 1870, chapter 336, entitled "An act to repeal and reenact with amendments sections 33, 34, 35, 39 and 75 of Article 81 of the Code of Public General Laws of Maryland, entitled 'Revenues and Taxes,' and relating to the appointment of, and the bond to be given by, and compensation paid to, the Collector of State taxes"; approved April 29, 1871.

An ordinance to appoint an additional lamplighter for the Middle District; approved May 2, 1871.

An ordinance to declare the bed of Byrd street, between Fort and Randall streets, a public highway; approved May 2, 1871.

An ordinance to pay for the survey of Jones' Falls and discontinue the work; approved May 5, 1871.

An ordinance entitle "an ordinance to open and condemn Register street between Lancaster and Thames streets; approved May 2, 1871.

An ordinance authorizing a contract with the Gas Company of Baltimore, and the People's Gas Company, for furnishing the city lamps with gas; approved May 10, 1871.

An ordinance entitled an ordinance to change the name of Cooke street to Patterson avenue; approved May 11, 1871.

An ordinance to grade and pave Hall alley, between Cross and Clement streets; approved May 11, 1871.

Resolution supplementary to resolution No. 48 entitled "a

resolution appropriating \$17,000 for the erection of a building for the use of Male and Female Grammar Schools No. 17; approved March 16, 1871;'' approved April 6, 1871.

Resolution for the laying of flag-stones from pier No. 12 Light street wharf; approved April 14, 1871.

Resolution authorizing George H. Allender & Co. to construct a sewer; approved April 14, 1871.

Resolution for fire alarm boxes at the corner of McMechin street and Madison avenue, and at the corner of Gist and Pratt streets; approved April 14, 1871.

Resolution to lay gas mains on Barre street; approved April, 24, 1871.

Resolution permitting Wm. Carr and James Moore to construct a sewer; approved April 24, 1871.

Resolution authorizing Herman Schnick to rebuild a summer kitchen at No. 68 Park street; approved April 24, 1871.

Resolution for the improvement of North Broadway, between Jefferson and McElderry streets; approved April 24, 1871.

Resolution repealing resolution No. 234 of 1870, being a resolution in relation to Gwynn's Falls bridge; approved April 24, 1871.

Resolution for the construction of two windows in the Circuit Court of Baltimore City; approved April 24, 1871.

Resolution for gas mains on Union street; approved April 24, 1871.

Resolution to place an anchorage buoy in the northeast part of the harbor; approved April 25, 1871.

Resolution permitting C. Search to lay a drain pipe; approved May 2, 1871.

Resolution authorizing Ellen Ellis to sink a well; approved May 2, 1871.



Resolution for the removal of an old pump stock at the corner of Lombard street and Calender alley ; approved May 2, 1871.

Resolution authorizing the Maryland Academy of Art to construct a frame building ; approved May 2, 1871.

Resolution for the repair of pump on Thames street, between Broadway and Ann street ; approved May 2, 1871.

Resolution authorizing Richard Holmes to build a frame bath-house ; approved May 2, 1871.

Resolution to erect gas lamps at the intersection of all streets crossing Cooke street, between Fremont and Gilmor streets ; approved May 2, 1871.

Resolution permitting Knight & Merchant to lay a drain pipe ; approved May 2, 1871.

Resolution authorizing C. F. Wortman to sink a well ; approved May 2, 1871.

Resolution authorizing Wm. J. Lloyd to erect a brick stable ; approved May 2, 1871.

Resolution for the purchase of Winans' Chapel for the use of Male and Female Colored Schools ; approved May 2, 1871.

Resolution for the tunneling of Harford run, where it occupies the bed of Ann street, and appropriating seventeen thousand dollars therefor ; approved May 11, 1871.

Resolution instructing the Port Warden in relation to the appropriation for his department for the year eighteen-hundred and seventy-one ; approved May 11, 1871.

Resolution permitting Jacob Beck to extend his building line ; approved May 11, 1871.

Resolution to have removed an old dry pump on the south side of Monument street ; approved May 11, 1871.

Resolution to pay Bernard Comber and Francis Conner ten dollars each ; approved May 11, 1871.

Resolution for the construction of a culvert across Monument street, in the bed of Patapsco street, and appropriating one thousand dollars therefor ; approved May 11, 1871.

Resolution to repair Broadway Market, and appropriating one hundred dollars therefor ; approved May 11, 1871.

Resolution to pay for the grading, curving and paving of the intersections of St. Pauls and Chase streets, and Chase street and Hargrave alley ; approved May 11, 1871.

Resolution in favor of Messrs. Kirk, Hemmell & Company ; approved May 11, 1871.

Resolution in favor of Joshua Register ; approved May 11, 1871.

Resolution in favor of Bartlett, Robbins & Co. ; approved May 11, 1871.

Resolution to have the ceiling of the Lexington Market, between Paca and Green streets, repaired ; approved May 11, 1871.

Very respectfully,

ROBERT T. BANKS, *Mayor*.

On motion of Mr. Weitzell, the Branch adjourned until Monday afternoon, May 15, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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Monday, May 15, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

The President presented an invitation from C. B. Gamble,

Secretary, to attend the opening of the Maryland Inebriate Asylum to-morrow (Tuesday) afternoon, at 4 o'clock, which was read, and—

On motion of Mr. Berry, the invitation was accepted.

Mr. Price presented a petition from Charles Dunn, asking compensation for damages done him by changing the contractor for the Richmond Market, which was read, and referred to the Joint Standing Committee on Claims.

Mr. Bond presented a petition from Lambert Gittings, to be relieved from an unjust assessment, which was read, and referred to the Joint Standing Committee on Claims.

Mr. Bond presented a petition from Edward Kearney and others, for the improvement of the crossings at St. Paul and Centre streets, which was read, and referred to the Joint Standing Committee on Highways.

The President presented a petition from Thomas Seabrook, for permission to erect a temporary railway track on North avenue, which was read, and referred to the Joint Standing Committee on Highways.

Mr. Price presented a protest from Charles F. Bevan and others, against the bed of Linden avenue being used for a railway, which was read, and referred to the Joint Standing Committee on Passenger Railways.

Mr. Weitzell introduced the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have erected, at the southwest corner of Washington street and Eastern avenue, a fire plug, and that the expense of the same be taken out of the levy for 1871.

On motion of Mr. Weitzell the resolution was read a second time, by special order, and adopted.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have repaired a pump on Fell street, between Ann and Wolf streets, in front of Bitts' wharf, the expense of the same to be taken out of the appropriation for pumps for the year 1871.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Smyrk offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Superintendent of the Fire Alarm Telegraph be, and is hereby, instructed to erect a fire alarm telegraph box on the corner of Fayette street and Broadway.

On motion of Mr. Smyrk, the resolution was referred to the Joint Standing Committee on Fire Department.

Mr. Smyrk offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized to have gas mains laid on McElderry street, from Bond street to Broadway.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

Mr. Mills introduced an ordinance entitled "an ordinance to amend the ordinance relating to amusements, City Code, page 464, section 12," which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Mills offered the following resolution, which was read :



Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have the old pump on the corner of Central avenue and Eager street removed, and the opening covered up in accordance with ordinances now in existence.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Price offered the following resolution, which was read.

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized to have gas mains laid on Garden street, from Mosher to Wilson street.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be authorized and directed to have gas mains laid on Cross street, from Warner to Russell street.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Ehlers offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of \$500, or so much thereof as may be necessary be, and the same is hereby appropriated, to be taken out of any money in the treasury not otherwise appropriated, for the improvement of Battery Square.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, authorized and directed to have a gas main laid on West Baltimore street, between Fulton and Calverton streets, in accordance with the provisions of the ordinance relating thereto.

On motion of Mr. Johnson the resolution was read a second time, by special order, and adopted.

Mr. Weaver offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Stockton street, from Cook street to Presstman street.

On motion of Mr. Weaver, the resolution was read a second time, by special order, and adopted.

Mr. Weaver offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be directed to repair the pump at the northwest corner of Baltimore and Republican streets, the expense to be taken out of the appropriation for pumps for the year 1871.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the special order of the day, being an ordinance for the further improvement of Jones' Falls, offered by Mr. Price—

The President accordingly announced the order of the day, which was read.

Mr. Trippe offered the following as a substitute for the first section, which was read :

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That Henry M. Warfield, James G. Ramsay, H. Clay Dallam, P. P. Pendleton, Francis B. Loney, and Dr. George N. Benson be, and they are hereby, constituted and appointed a commission, to be styled "The Commission of the Jones' Falls Improvement."

The substitute was declared adopted.

Mr. Trippe offered the following amendment, which was read :

SEC. 2. After "within," line 2, strike out "the earliest possible time," and insert "forty days from the date of their qualification."

The amendment was declared adopted.

Mr. Bond offered the following amendment, which was read :

In section 2, line 4, strike out the words "who shall serve without pay," and substitute therefor the words "shall each receive an annual salary of \$1,500."

The amendment was declared rejected.

Mr. Trippe offered the following as section 5, which was read :

"SEC. 5. Be it further enacted and ordained, that immediately on the passage of an ordinance approving the plan for the improvement of Jones' Falls, as provided for in this ordinance, the said Commissioners shall proceed to the prosecution of the work."

The amendment was declared adopted.

On motion of Mr. Trippe, section 5 was made section 6, and—

On motion of Mr. Price, section 6 was made section 7.

Mr. Crout offered as an amendment for the ordinance, after the first section, the ordinance for the improvement of Jones' Falls received from the Second Branch, with the exception of its first section.

Mr. Bond offered an amendment to the amendment, that the ordinance received from the Second Branch be substituted in place of the pending bill.

Mr. Crout accepted Mr. Bond's amendment to the amendment, and, the question being on the amendment, viz: the ordinance of the Second Branch as a substitute for the whole—

The yeas and nays were demanded by Mr. Sommerlock, resulting as follows:

*Yeas*—Messrs. President, Mills, Kernan, Bond, Randall, Freeberger, Ehlers, and Crout—8.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Sommerlock, Berry, Johnson, and Weaver—12.

The substitute was declared lost.

The question recurring on the passage of the ordinance offered by Mr. Price, and under discussion, the yeas and nays were demanded by Mr. Mills, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Price, Sommerlock, Berry, Johnson, Weaver, and Crout—15.

*Nays*—Messrs. Mills, Bond, Randall, Freeberger, and Ehlers—5.

The ordinance was declared passed and the title approved.

On motion of Mr. Johnson, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk*.



Tuesday, May 16, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Kernan, Price, Freeberger and Crout.

Mr. Bond presented a petition from George Webb and others, against the use of Park street, south of Richmond street, for a passenger railway, which was read and referred to the Joint Standing Committee on City Passenger Railways.

The President presented the following communication from R. T. Baldwin and others, of the Consumers' Gas Company of Baltimore, which was read, and, on motion of Mr. Johnson, ordered to be placed upon the Journal :

NEW GAS COMPANY.—The Consumers' Gas Company of Baltimore was finally organized on Saturday, May 6th. The names of the incorporators are: William Devries, James A. Henderson, Charles J. Baker, George P. Thomas, Robert T. Baldwin, Augustus Albert, Horatio L. Whitridge, James G. Ramsay, Louis McLane, John F. Wiley, J. Hall Pleasants, Andrew J. Saulsbury, William W. Glenn, William H. Perkins, William H. Baldwin, Jr., Thomas White, Charles Webb, Robert Lehr, John F. Hunter and William Ortwine. The capital is fixed at \$2,000,000; the shares at \$20 each. The amount of subscription will, for the present, it is believed, be limited to one hundred shares for each subscriber, so as to give every one an opportunity to come in and make this essentially a Consumers' Gas Company. Subscription books will be opened immediately, and the amount of stock required will doubtless be taken up at once. A number of leading gentlemen have already declared their intention of being stockholders, and the new company has evidently the hearty endorsement of the entire community.

At a meeting of the Consumers' Gas Light Company of Baltimore City, held on the 16th day of May, 1871, it was unanimously

Resolved, That this Company regards the efforts made in the Second Branch of the City Council, to prevent the execution of the present contract with existing gas companies for five years, and for an indefinite amount of gas, as entirely in accordance with the feelings of the entire community of the city.

That this company respectfully enters its earnest protest against the consummation of a contract which is so injurious to the interests of the city and the citizens of Baltimore, and asks that it may be allowed an opportunity, at the expiration of two years, to compete for the supply of city gas.

That this company assures the City Council, and the community generally, that it was organized in perfectly good faith; that it is intended to be a mutual company of gas consumers; that subscriptions for a considerable amount of stock have already been volunteered; and that if not prevented by the action of the Mayor and City Council, it proposes to commence operations at once.

That in refusing to allow it—a citizens' company—a fair chance to compete with the foreign companies which now have exclusive privileges in this city, the Mayor and City Council will oppose the openly expressed wishes of a large portion of this community, and will neglect the very interests which, as trustees of the city and its citizens, they are bound to protect.

That copies of these resolutions be at once transmitted to each Branch of the City Council.

(Signed) W. H. PERKINS, *Sec'y.*

(Signed) R. T. BALDWIN, *Chairman.*

The President presented an invitation from William Hooper, Principal of Male Grammar School No. 11, to attend the annual exhibition of the school next Friday at 2½

o'clock, P. M., at the northwest corner of Bond and Jefferson streets, which was read, and, on motion of Mr. Berry, the invitation was accepted.

Mr. Bond presented a petition from Philip Hiss, to open and condemn Stoddard alley, from Townsend to Mosher streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Trippe presented a petition from Geo. Robinson, Clerk of the Superior Court of Baltimore City, for an appropriation of \$800 to prepare indexes for judgment dockets of that Court, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Frederick Uher, asking the privilege to lay a drain from his cellar to the curb-stone, situated on Choptank street, beg to report that the prayer of the petitioner should be granted, and offer the following resolution :

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the privilege be, and is hereby, granted Frederick Uher to run a drain from his building, situated on Choptank street, to the street curb, for the purpose of draining the cellar of said premises.

On motion of Mr. Ehlers, the resolution was read a second time by special order and adopted.

Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying resolution, which were read.

The Joint Standing Committee on Health, to whom was referred the petition of Francis Q. Ruth, to erect a kiln for burning oyster shells, on his premises, east of and adjoining Harris' Creek at Canton, respectfully report they see no reason why the privilege asked should not be granted. They therefore ask the adoption of the following resolution :

G. MORRIS BOND,  
J. HARRY WEAVER,  
JOSEPH G. JOHNSON,

*First Branch.*

A. W. DUKE,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be given to Francis Q. Ruth, to erect upon his premises at Canton, east of and adjoining Harris' Creek, a kiln for burning oyster shells.

On motion of Mr. Sommerlock, the resolution was read a second time by special order.

Mr. Trippe offered the following amendment, which was read :

Provided the same kiln be removed by a notice of sixty days from the Mayor.

The amendment was declared adopted.

The question recurring on the adoption of the resolution, it was declared adopted.



Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the resolution in reference to the change of grade at the southwest corner of Republican and Saratoga streets, respectfully state that, after having visited the above-named locality, they deem it proper and right that the improvement should be made. They therefore offer the following resolution, and respectfully ask its adoption :

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have changed the grade at the southwest corner of Republican and Saratoga streets, so as to avoid the water and filth which accumulate at said corner ; the expense of the same to be taken out of the appropriation for highways for 1871.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Fire Department, to whom was referred the petition of the Superintendent of Fire Alarm Telegraph, asking an appropriation to replace certain old telegraph poles with new ones, beg to report that

they have given the subject a careful consideration, and are convinced that the efficiency of the department demands that the work be promptly executed. A large number of the old poles have been erected for the past twelve years, and are now in a very dilapidated condition, many of them so decayed at the base as to make it exceedingly dangerous for the line man to ascend them for the purpose of repairing and adjusting the glasses and wires; indeed, they have refused to ascend some of the poles altogether. They offer the following resolution, and ask its adoption:

S. SANDS MILLS,  
J. C. RANDALL,  
JNO. W. TORSCH,

*First Branch.*

FREDERICK COOK,  
DANIEL CONSTANTINE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Superintendent of the Fire Alarm Telegraph be, and he is hereby, authorized and directed to have about 150 of the old fire alarm telegraph poles replaced with new poles, and the wires replaced by galvanized iron wire, and that he is hereby authorized to draw on the City Register for the sum of fourteen hundred dollars (\$1400) or so much thereof as may be necessary, to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Fire Department, to whom was referred the petition of Judge Bartol, and others, asking the erection of a Fire Alarm Telegraph Box on the corner of Eden and Chase streets, beg to report that they

have examined into the application and report favorably, and offer the following resolution :

S. SANDS MILLS,  
J. C. RANDALL,  
JOHN W. TORSCH,

*First Branch.*

FREDERICK COOK,  
DANIEL CONSTANTINE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Superintendent of the Fire Alarm Telgraph be, and he is hereby, authorized and directed to erect a Fire Alarm Box on the S. E. corner of Eden and Chase streets, and that the sum of three hundred and fifty dollars (\$350), or so much thereof as may be necessary, is appropriated hereby to defray the expenses, to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Sommerlock, the resolution was read a second time, by special order, and adopted.

Mr. Torsch, from the Joint Standing Committee on Markets, submitted the following report and accompanying resolution, which was read :

The Joint Standing Committee on Markets, to whom was referred the petition of certain property-holders and residents in the vicinity of the new Richmond Market, asking that a footway of four feet in width be reserved on the south side of the street, opposite the proposed new market house, respectfully report, that they have considered the subject of the petitioners, and believing that the same should be granted, as it is really a great public convenience, they would therefore offer the following resolution, and respectfully ask its adoption :

JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

DANIEL CONSTANTINE,  
W. H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to grant the privilege to lay pavement, four feet wide, on south side of the street running from Garden to Howard streets, opposite the new Richmond Market House, at the expense of the owners of lots binding thereon.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

Mr. Randall offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That S. M. Gibbons be permitted to place a lamp, of a larger size than the usual city lamp, at the corner of Howard and Saratoga streets, and to have the privilege of lettering his name, and the name of the hotel thereon, the work to be done at his own expense, and to be approved of by the City Commissioner.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

Mr. Weaver offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to John Meeth, to erect a pump in front of his premises, N. E. corner of Republican street and Lehrman's alley, said pump to be erected at his own expense.

On motion of Mr. Weaver, the resolution was read a second time, by special order, and adopted.

Mr. Trippe offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, empowered to erect a city lamp at the S. W. corner of Canal and Fayette streets.



On motion of Mr. Mills, the resolution was read a second time, by special order.

On a motion by Mr. Ehlers, to refer the resolution to the Joint Standing Committee on City Property, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. President and Ehlers—2.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Sommerlock, Randall, Berry, Johnson, and Weaver—13.

The Branch refused to refer.

The question recurring on the adoption of the resolution, it was declared adopted.

On motion of Mr. Johnson, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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#### UNFINISHED BUSINESS.

The following ordinances, resolutions and communications lay upon the table of the First Branch:

#### ORDINANCES.

Ordinance providing for the increase of salary to the office of City Register.

Ordinance for the redivision of the wards of the City of Baltimore.

Ordinance supplementary to an ordinance entitled "An ordinance to construct a sewer from the intersection of Oliver and Decker streets to Jones' Falls, numbered 33 on the files in the Register's office, and approved June 21st, 1869."

Ordinance to provide for the appointment of three Harbor Masters for the harbor of Baltimore, and to establish their districts.

#### RESOLUTIONS.

Resolutions providing for the erection of water troughs for horses.

Resolution to have snow hauled away from Baltimore street.

Resolution to remove snow from Forrest street.

Resolution to remove snow from Wood street.

Resolution submitting the present plan for the improvement of Jones' Falls to the voters of the City of Baltimore.

Resolution to have flag-stones placed across Baltimore street, opposite No. 485 on the north side, and No. 487 on the south side.

#### COMMUNICATIONS.

Communication from City Commissioner in reference to purchase of lot for Public School House No. 17.

Communication from School Commissioners in reference to purchase of lot for Public School House No. 17.

Communication from Henry Tyson in reference to the plans and specifications for the improvement of Jones' Falls.

Communication from Building Committee of New City Hall, containing their annual report for the year ending 31st of December, 1870.

A message from the Second Branch to go into convention, dated April 3d, 1871.

Communication from Benjamin H. Latrobe, Engineer of the Jones' Falls Improvement, stating the fact of his resignation, &c.

Opinion of W. H. Norris, City Counsellor, and R. D. Morrison, City Solicitor, that the Council is competent under existing laws to change any existing plan for the improvement of Jones' Falls.

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Wednesday, May 17, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Trippe, Kernan and Price.

The President presented a petition from James G. Ramsey and nine hundred others, for the extension of Patterson Park, which was read and referred to the Joint Standing Committee on Parks.

The President presented an invitation from Henry Volz to attend a fair at the new Assembly Rooms, for the benefit of St. Mary's Industrial School for Boys, on Friday evening, which was read, and on motion of Mr. Johnson the invitation was accepted.

Mr. Mills presented a petition from Wm. Brown and others, against the building of a railway on Linden avenue, which was read, and referred to the Joint Standing Committee on City Passenger Railways.

Mr. Randall introduced an ordinance entitled "An ordinance to provide for the appointment of an Inspector of Buildings, and to prescribe his duties," which was read and laid on the table.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred an ordinance to repeal so much of an ordinance entitled "An ordinance to condemn and close the Liberty road from Gilmore street to Fulton street, and to condemn and open in lieu thereof a street, &c., &c.," beg to report favorable to its passage.

S. SANDS MILLS,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

On motion of Mr. Mills, the ordinance was read a second time, by special order, and, on motion of Mr. Weaver, the ordinance was laid upon the table.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred "An ordinance to condemn and open Presstman street from Gilmore street to Monroe street," beg to report favorably, and ask its passage.

S. SANDS MILLS,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

On motion of Mr. Johnson, the ordinance was read a second time, by special order, and laid upon the table.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :



The Joint Standing Committee on Highways, to whom was referred the petition of Thos. Kensett, and others, asking for the condemnation of Morris alley, have given the application their consideration, and respectfully recommend the passage of the accompanying ordinance :

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JESSE R. OGLE,  
JOHN MILROY,  
WM. H. VICKERY,

*Second Branch.*

An ordinance for the condemnation of Morris alley, as laid down on Poppleton's plat, through the grounds formerly owned by Mrs. Jane Clendinen.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore (the necessary legal formalities required by art. 4, sec. 842 of the Public local laws of Maryland, having been duly complied with), That all that portion of Morris alley as laid down on Poppleton's plat, as was by deed bearing date October 27th, 1855, dedicated "as and for a common highway for the use of the public forever" be, and the same is hereby, condemned for the purposes of a public highway.

SEC. 2. And be it enacted and ordained, That all ordinances, or parts of ordinances, inconsistent with the provisions of this ordinance be, and the same are hereby, repealed.

On motion of Mr. Johnson, the ordinance was read a second time, by special order, the title approved and the ordinance was declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of the Baltimore and Potomac Railroad Company, asking permission to lay a temporary track on the north side of North Boundary avenue, from the crossing of the Northern Central Railway Company track to Oliver street, sometimes called McMechen street, being a distance of about 650 feet from said Northern Central Railway track, do hereby report the following ordinance, and recommend the passage of the same :

S. SANDS MILLS,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
WM. H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

An ordinance entitled " An ordinance to allow the Baltimore and Potomac Railroad Company to lay a temporary railroad track from the Northern Central Railway, at its crossing of North Boundary avenue to the intersection of Oliver, or McMechen streets with the said North Boundary avenue."

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the President and Directors of the Baltimore and Potomac Railroad Company be, and they are hereby, authorized and permitted to lay down a temporary railroad track, to be used for the delivery of materials for the construction of the Baltimore and Potomac Railroad Tunnel, from where the Northern Central Railway crosses North Boundary avenue along the north side of North Boundary avenue to the intersection of Oliver or McMechen streets with the said North Boundary avenue ; provided said track shall be removed at the expense of said Baltimore and Potomac Railroad Company, upon the completion of the tunnel of the Baltimore and Potomac Railroad Company authorized to be constructed by an ordinance of the Mayor and City Council of Baltimore, approved May 29, 1869.

SEC. 2. Be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Mills, the ordinance was read a second time, by special order.

Mr. Bond offered the following amendment, which was read :

“ Provided, however, that no steam engine be used thereon, and that the said track be removed at fifteen days' notice from the Mayor of the City.”

The amendment was declared adopted.

The question recurring on the passage of the ordinance, the title was approved and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of William and Wallace King and others, to condemn and widen Eutaw street, between Laurens street and North Avenue, to a width of eighty-six feet, have examined the locality, and deem it a public improvement; therefore recommend the passage of the ordinance herewith.

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

An ordinance to condemn and widen Eutaw street, between Laurens street and North avenue.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, authorized and directed to condemn and widen Eutaw street, between Laurens street and North avenue, to a width of eighty-six feet, according to the plat accompanying the ordinance, and described as follows : beginning for the southwest side of said widening at a point on the northwest side of Laurens street, at a distance of ten feet southwest from the northwest corner of Eutaw and Laurens street, and running thence northwest in a straight line to a point on North avenue, about forty-five feet west of the southwest corner of Eutaw street and North avenue, as now laid out on Poppleton's plat ; thence east, bounding on North avenue forty-five feet, more or less, to the southwest corner of North avenue and Eutaw street, thence south twenty-eight feet, more or less, to the northwest corner of Bloom and Eutaw streets, as laid down on Poppleton's plat ; and thence southwesterly, bounding on the southwest side of Eutaw street to the northwest corner of Laurens and Eutaw streets, and thence southwest, bounding on Laurens street to the place of beginning. And for the northeast side of said widening beginning at a point ten feet northeast of the northeast corner of Laurens and Eutaw street, and running thence northwest in a straight line parallel to the northeast side of Eutaw street, and at a distance of ten feet therefrom to a point on the east side of Eutaw street, as now open and laid down on Poppleton's plat, about thirty feet south of the southeast corner of Eutaw street and North avenue ; thence south to the northeast line of Eutaw street, as now open and laid down on Poppleton's plat ; and thence southeast, bounding on the northeast side of Eutaw street to the northeast corner of Laurens and Eutaw streets, and thence northeast, bounding on Laurens street to the place of beginning.

SEC. 2. And be it enacted and ordained, That any person or persons, or body corporate, who may be dissatisfied with the assessment of damages and benefits which may be made by the said Commissioners, may appeal to the Balti-



more City Court at the time, in the manner, and after like notice by the Register, as provided by article 43, of the Baltimore City Code, and that the Collector and Register of the city shall also perform such duties in relation to streets as are required of them by the provisions of said article.

On motion of Mr. Mills, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of J. M. Macdonald and others, for the regrading and repaving of Mill street, from the corner of Pratt street, and for the construction of a sewer from said corner, respectfully report that on an examination of the section named, find it, as it is, a nuisance to the neighborhood, especially during the times of heavy rain ; they therefore think the street should be regraded and repaved, and the sewer constructed, and herewith offer the following resolution, and respectfully ask its adoption.

S. SANDS MILLS,  
JNO. W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have regraded and repaved all that part of Mill street running from Pratt street, in accordance with the provisions of an ordinance relating to the paving and grading of streets ; and resolved further, that the said City Commissioner be, and he is hereby, authorized and directed

to have constructed at the intersection of said streets, a sewer of proper dimensions, to carry off the water, and that the sum of \$500, or so much thereof be, and the same is hereby, appropriated therefor, to be taken out of the levy of 1871.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Wm. D. Miller and others, for the condemnation and opening of Eager street, from Gay to Bond streets, respectfully report, that after having investigated the locality, they think it expedient that said street should be opened. They therefore offer the following ordinance, and respectfully ask its passage :

S. SANDS MILLS,  
J. W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

An ordinance to condemn and open Eager street, from Gay to Bond streets.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, that the Commissioners for Opening Streets be, and they are hereby, authorized and directed to condemn and open all that part of Eager street, from Gay to Bond streets.

SEC. 2. And be it enacted and ordained, That any person or persons, or body corporate, who may be dissatisfied with

the assessment of damages or benefits which shall be made by the said Commissioners, may appeal to the Baltimore City Court at the time, in the manner, and after like notice by the Register, as provided for in ordinance No. 26, entitled "An ordinance to provide for exercising certain powers vested in this corporation in relation to streets in the City of Baltimore," approved April 3d, 1866, and the Collector and Register of the City shall also perform such duties in relation to streets as are required of them by the provisions of said ordinance.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which was read :

The Joint Standing Committee on Highways to whom was referred the petition of Adam Schaffer and others, asking permission to construct a sewer from the northeast corner of Hamburg street and Burgundy alley to the northwest corner of Hamburg and Paca streets, respectfully state that on an investigation of the premises believe the prayer of the petitioners should be granted. We therefore offer the following resolution, and respectfully ask its adoption :

S. SANDS MILLS,  
JNO. W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Adam Schaeffer, John M. Krousse, and Conrad Hoffman to construct

a sewer from the northeast corner of Hamburg street and Burgundy alley to the northwest corner of Hamburg and Paca streets, for the purpose of draining the cellars in that neighborhood, the whole expense of the same to be borne by said parties, and the work to be done under the supervision of the City Commissioner.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read : -

The Joint Standing Committee on Highways, to whom was referred the petition of George H. Stewart and others, asking that an appropriation of \$1,900 be made for the purpose of constructing a sewer or tunnel at the intersection of Baltimore street and Fulton avenue, respectfully state that after having visited the section mentioned, and carefully considered the merits of said petition, have concluded that an outlay of money for that purpose is entirely unnecessary and uncalled for. They therefore offer the following resolution, and respectfully ask its adoption :

S. SANDS MILLS,  
JNO. W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following message was received from the Second Branch and read :



IN SECOND BRANCH,  
Baltimore, May 17, 1871.

*Gentlemen of the First Branch:*

We respectfully propose, with your concurrence, that when the Council adjourn this evening it stand adjourned until Tuesday, May 23d, 5 P. M.

By order,

GEO. T. BEALL, JR., *Clerk.*

Mr. Johnson moved to concur, on which Mr. Sommerlock moved to non-concur.

The question being on the non-concurrence, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. President, Smyrk, Mills, Bond, Sommerlock, Randall, Berry, Ehlers and Crout—9.

*Nays*—Messrs. Weitzell, Hudgins, Bruce, Ward, Torsch, Freeberger, Johnson and Weaver—8.

The Branch refused to concur.

Mr. Crout offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That Wendell Bollman be, and he is hereby, granted the privilege of erecting a frame bath house on the second story of a brick back building, on his premises on Pennsylvania avenue.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

Mr. Johnson called up the ordinance, known as No. 10 on the file, providing for an increase of salary of the office of Register and Deputy Register, which was read.

Mr. Crout offered the following amendment, which was read:

In 1st section, lines 3 and 4, strike out all after the words "per annum."

The question being on the amendment, the yeas and nays were demanded by Mr. Ehlers, resulting as follows:

*Yeas*—Messrs. Weitzell, Hudgins, Bruce, Smyrk, Mills, Bond, Sommerlock, Randall, Berry, Ehlers, Weaver, and Crout—12.

*Nays*—Messrs. President, Ward, Torsch, Freeberger, and Johnson—5.

The amendment was declared adopted.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Ehlers, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Smyrk, Mills, Ward, Torsch, Sommerlock, Freeberger, Johnson, Weaver, and Crout—13.

*Nays*—Messrs. Bond, Randall, Berry, and Ehlers—4.

The ordinance was declared passed.

Mr. Johnson offered the following amendment to the title of the ordinance:

Strike out the words "and Deputy Register."

The amendment was declared adopted and the title approved.

Mr. Johnson called up the ordinance known as No. 8, being an ordinance entitled "An ordinance for the re-

division of the wards of the city of Baltimore," which was read, and on motion of Mr. Johnson, made the special order of the day for Monday afternoon next, at half-past 5 o'clock.

The following resolutions were returned from the Second Branch severally endorsed "adopted:"

Resolution to repair pump on Fell street.

Resolution for fire-plug at southwest corner of Washington street and Eastern avenue.

Resolution to have a gas main laid on West Baltimore street, between Fulton and Calverton streets.

Resolution for the improvement of Battery Square.

Resolution to have gas mains laid on Stockton street, from Cooke to Burman street.

Resolution granting permission to Thornton Connelle to construct a drain or sewer.

Resolution to remove flag pole in front of Broadway Institute.

Resolution to have gas main laid on Bank street.

Resolution to lay gas mains on McElderry street, from Bond street to Broadway.

Resolution to remove old pump on the corner of Central avenue and Eager street.

Resolution to repair pump at the northwest corner of Baltimore and Republican streets.

Resolution to lay gas mains on Cross street, from Warner to Russell street.

Resolution adverse to extending Port Warden's line at Canton.

Resolution to have gas mains laid on Garden street, from Mosher to Wilson street.

Resolution appropriating \$150 for cases for books for Clerk of City Court.

Resolution to have gas mains laid on Garden street.

Resolution in favor of Frederick Wehr.

Resolution granting S. M. Gibbons privilege of placing a lamp at corner of Howard and Saratoga streets.

Resolution to lay pavement on south side of street opposite the Richmond Market House.

Resolution to erect a fire alarm box at the southeast corner of Eden and Chase streets.

Resolution in favor of Francis J. Ruth.

Resolution to change the grade at the southwest corner of Republican and Saratoga streets.

The following ordinance was returned from the Second Branch endorsed "passed :"

An ordinance for the benefit of Druid Hill Park.

Resolution accompanying said ordinance concerning Druid Hill Park was also returned from the Second Branch endorsed "adopted."

Mr. Johnson proposed a message to the Second Branch, that when the Council adjourn this evening it stand adjourned until Monday afternoon next at five o'clock.

The message was ordered to be sent.

The Second Branch returned the resolution in favor of Colton & Laurence to erect a second story frame addition, with the following amendment, which was read :

"The said improvement to be made subject to the approval of the City Commissioner, and to such assessments as may be required under the existing ordinances."



On motion of Mr. Ehlers, the Branch concurred in the amendment.

The Second Branch returned the ordinance and resolution in relation to the extension of Battery Square, with the following amendment, which was read :

“ And that the amount of purchase money, whatever it may be, be taken out of the annual levy for parks and squares for 1872.”

On motion of Mr. Berry, the Branch concurred in the amendment.

The Second Branch returned the resolution for a lamp at the corner of Canal and Fayette streets with the following amendment, which was read :

“ If deemed necessary by the City Commissioner.”

On motion of Mr. Sommerlock, the Branch concurred in the amendment.

The Second Branch returned the resolution granting privilege to John Meeth to erect a pump, with the following amendment, which was read :

Add at end of resolution, the words, “ under the supervision of the Water Engineer.”

On motion of Mr. Ehlers, the Branch concurred in the amendment.

The Second Branch returned the resolution in relation to erecting new telegraph poles, with the following amendment, which was read :

Insert after the word “ wire ” the words, “ And that he be instructed in every case where poles can be dispensed with, and the wires carried over or along buildings, with the consent of the owners thereof, that he endeavor to have it done.”

On motion of Mr. Johnson, the Branch concurred in the amendment.

The following message was received from the Second Branch, and read :

IN SECOND BRANCH,  
Baltimore, May 17, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have non-concurred in your proposition that when the Council adjourns this evening it stand adjourned until Monday afternoon next.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Smyrk, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Thursday, May 18, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell, Trippe, Bruce, Smyrk, Mills, Price, Randall, Johnson, and Crout.

It appearing from a call of the roll that a quorum of members were not present in the Chamber,

On motion of Mr. Sommerlock, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Friday, May 19, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members, except Messrs. Hudgins, Smyrk, Kernan, Ward, Bond, Price, Berry, Johnson, Weaver, and Crout.

It appearing from a call of the roll that a quorum of members was not present in the Branch,

On motion of Mr. Trippe, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Saturday, May 20, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and Messrs. Randall and Johnson.

It appearing from a call of the roll that a quorum of members was not present in the Branch,

On motion of Mr. Randall, the Branch adjourned until Monday afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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The following resolutions were presented to the Mayor on the dates named :

May 11. Resolution for the tunnelling of Harford Run where it occupies the bed of Ann street, appropriating \$17,000 therefor.

Resolution to have the ceiling of the Lexington Market, between Paca and Green streets, repaired.

Resolution permitting Jacob Beck to extend his building line.

Resolution instructing the Port Warden in relation to the appropriation for his department for the year 1871.

Resolution in favor of Bartlett, Robbins & Co.

Resolution in favor of Joshua Register.

Resolution to pay Bernard Comber and Francis Conner ten dollars each.

Resolution in favor of Messrs. Kirk, Hemmell & Co.

Resolution to pay for the grading, curbing and paving of the intersection of St. Paul and Chase streets, and Chase street and Hargrave alley.

Resolution to repair Broadway Market, and appropriating \$100 therefor.

Resolution for the construction of a culvert across Monument street, in the bed of Patapsco street, and appropriating \$1000 therefor.

Resolution to have removed an old dry pump, on the south side of Monument street.

May 20. Resolution in favor of Henry McCaffrey.

Resolution for gas mains in Aisquith street, from John street to Point lane.

Resolution in favor of Wm. Schloss.



Resolution authorizing Warner Noble to erect a patent pump.

Resolution for the removal of pump, on the north side of Mulberry street.

Resolution authorizing the City Commissioner to have wooden seats placed in the Eastern Springs, and appropriating \$300 therefor.

Resolution for a pavement opposite the new Richmond Market-house.

Resolution authorizing S. M. Gibbons to place a new lamp on the corner of Howard and Saratoga streets, and to letter the same.

Resolution appropriating \$350 for a fire alarm box on the southeast corner of Eden and Chase streets.

Resolution authorizing Francis J. Ruth to erect a kiln for burning oyster shells at Canton.

Resolution looking to the purchase of additional land for the purposes of Druid Hill Park.

Resolution appropriating \$500 for the improvement of Battery Square.

Resolution to have a fire plug erected on the southwest corner of Washington street and Eastern avenue.

Resolution for the repair of pump on Fells street.

Resolution appropriating \$20 for the removal of the old flag-pole in front of Broadway Institute.

Resolution for gas main on McElderry street, from Bond street to Broadway.

Resolution for gas main on Stockton street, from Cook to Presstman streets.

Resolution for gas main on Bank street, from Chester to Choptank streets.

Resolution for gas main on Cross street, from Warner to Russell streets.

Resolution for gas main on Garden street, from Mosher to Wilson streets.

Resolution for gas main on Garden street, from Madison to Monument streets.

Resolution for gas main on W. Baltimore street, between Fulton and Calverton streets.

Resolution to have the old pump corner of Central avenue and Eager street removed.

Resolution for the repair of pump on northwest corner of Baltimore and Republican streets.

Resolution authorizing Thornton Connelle to construct a sewer on the corner of E. Baltimore street and Castle alley.

Resolution appropriating \$150 for the construction of book cases in the office of the clerk of the Baltimore City Court.

Resolution authorizing F. Wehr to construct a drain.

Resolution authorizing the changing of the grade at the southwest corner of Republican and Saratoga streets.

The following ordinances were presented on the dates named :

May 11. An ordinance to grade and pave Hall alley, between Cross and Clement streets.

An ordinance entitled an ordinance to change the name of Cook street to Patterson avenue.

May 20. An ordinance to change and extend the Port Warden's line in the Cove at Canton.

An ordinance to declare the bed of Duncan alley, between Pratt and Gough streets, a public highway.

An ordinance for the benefit of Druid Hill Park.

#### APPROPRIATIONS.

Amount heretofore stated.....	\$64,202 26
Resolution in favor of reporters .....	400 00
“ for tunnelling Harford Run.....	17,000 00
“ to repair Broadway Market.....	100 00
“ for the construction of a culvert across Monument street.....	1,000 00
“ for seats in Eastern Springs.....	300 00
“ for fire alarm box on the southeast corner of Eden and Chase sts.....	350 00
“ for improvement of Battery Square...	500 00
“ for removal of flag-pole in front of Broadway Institute.....	20 00
“ for book case in clerk's office of Bal- timore City Court.....	150 00
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	\$84,022 26
Rebuilding Belair Market.....	3,800 00
An ordinance for keeping up Lafayette Square...	600 00
Resolution for extension of fire alarm telegraph out Greenmount avenue.....	600 00
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	\$89,122 26

Monday, May 22, 1871.

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The Branch met pursuant to adjournment.

Present—all the members except the President (acting Mayor, *ex officio*), and Messrs. Bruce and Bond.

In the absence of the President, on motion of Mr. Randall, Mr. Trippe was called to the chair.

Col. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a message from His Honor the Mayor.

On motion of Mr. Johnson, the regular business was dispensed with, and a message sent to the Second Branch proposing a convention of the two Branches, for the purpose of taking appropriate action in reference to the sad and untimely death of I. Harry Weaver, late member from the 19th ward.

The message was ordered to be sent.

The members of the Second Branch appeared, and took seats in the First Branch Chamber.

The President presented the following communication from His Honor the Mayor, which was read:

MAYOR'S OFFICE, CITY HALL,  
Baltimore, May 22, 1871.

*To the Honorable the Members of the  
First Branch of the City Council:*

GENTLEMEN:

It is my melancholy duty to announce to you the sudden, and to our human apprehension, untimely death of Mr. I.



Harry Weaver, the representative in the First Branch of the City Council from the nineteenth ward, by the explosion of the boiler of a steam fire engine.

Your late brother had endeared himself, by unusual kindness and urbanity, to each of your members, hence, in the character of personal friend his loss will be long deplored by you. In the capacity of public representative, he was earnest in the advocacy of his convictions of right, and the highest interest of his peculiar constituency, yet, entirely and properly discriminating as regards the claims of other portions of the city, and ever mindful of the paramount interest of our whole community. We are persuaded, therefore, that our public loss will be not less distinctly felt by the Corporation of Baltimore City.

It will be our sad satisfaction to join, cordially, in any public expression of that feeling which your Branch may think proper to order.

Believing that even such sad dispensations of Providence as the one we now regret, issue, in His mercy, with reference to the higher good of the living, and the practical bettering of society, we will entertain the hope that the example before us may not be devoid of salutary moral to ourselves.

With great respect,

GEO. W. BISHOP,

*Mayor ex officio.*

On motion of Mr. Johnson, the communication was ordered to be spread upon the Journal.

On motion of Mr. Johnson, a joint special committee of three from each Branch were appointed to prepare resolutions.

The Chair appointed Messrs. Johnson, Price and Smyrk, of the First Branch, and Messrs. Kerr, McCoy and Vickery, of the Second Branch.

The committee retired, and after a brief absence returned.

Mr. Johnson presented the following resolutions, which were read :

Whereas, The members of the City Council of Baltimore have heard, with deep regret, of the death of I. Harry Weaver, Esq., member of the First Branch from the Nineteenth ward, therefore,

Be it resolved by both Branches of the City Council, in convention assembled, that in the death of I. Harry Weaver, Esq., the City of Baltimore has lost a valuable and respected citizen, and the City Council an honored and esteemed member.

Resolved, That we bear testimony to the good qualities of his nature, to his integrity, truthfulness, amiability, geniality, charity, and ability ; and we mourn for him with the greater bitterness, as he was unexpectedly cut down by the hand of Providence, in the prime of life, in the beginning of his career as a public servant, on the very threshold, as it were, of the life so full of bright hope to him.

Resolved, That mourning him as a brother and a friend, we extend to the bereaved family our profound and heart-

felt sympathy and condolence, deeply lamenting the loss of him who was a dutiful son, and a kind and affectionate brother.

Resolved, That as a mark of respect to the memory of our deceased brother, the Council Chamber be draped in mourning for the space of thirty days, and that we attend his funeral in a body ; that the flags on the public buildings be displayed at half-mast, and that the bells of the Fire Department be tolled during the funeral obsequies.

Resolved, That His Honor the Mayor, and members of the City Government be invited to attend the funeral.

Resolved, That a joint special committee of three from each Branch be appointed, by the President of this convention, to make the proper arrangements for the funeral of our deceased brother.

Resolved, That a copy of these resolutions be transmitted to the family of the deceased, and that the chief clerks of both Branches be directed to enter these resolutions upon the Journals.

Resolved, As a further token of respect, that both Branches, by concurrent action, adjourn over from this evening until Thursday evening next.

After appropriate remarks by Messrs. Johnson, Crout, Price, and Trippe, the resolutions were unanimously adopted.

The Chair appointed as the committee to make arrangements for the funeral, Messrs. Crout, Berry and Randall, of the First Branch, and Messrs. Constantine, Duke, and Cook, of the Second Branch.

The Chairman announced that the members of the Council would be pleased to meet in the First Branch Council Chamber, on Wednesday, May 24th, at 9 o'clock, A. M., for the purpose of attending the funeral of the deceased.

On motion of Mr. McCoy, the convention adjourned, and the members of the Second Branch returned to their Chamber.

Mr. Price proposed a message to the Second Branch,

that when the Council adjourn this evening it stand adjourned until Thursday afternoon, at 5 o'clock.

The message was ordered to be sent.

The following message was received from the Second Branch, and read :

IN SECOND BRANCH,  
Baltimore, May 22, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition, that when the Council adjourn this evening it stand adjourned until Thursday evening next, at 5 o'clock, out of respect to the memory of our deceased brother, I. Harry Weaver, Esq.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

On motion of Mr. Weitzell, the Branch adjourned until Thursday afternoon next, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Thursday, May 25, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Johnson.

Mr. Trippe presented a petition from Adolph Ahrens, trustee, for abatement of assessment on property for the opening of Park street, which was read and referred to the Joint Standing Committee on Claims.

Mr. Trippe presented a petition from the Calvert Sugar Refinery, for the extension of their wharf, which was read and referred to the Joint Standing Committee on Harbor.

Mr. Trippe presented a petition from W. W. Conway, for compensation for damage done his house by the bad construction of Perry street, which was read and referred to the Joint Standing Committee on Claims.

Mr. Crout presented a petition from J. Henry Snyder, for permission to lay a pipe under the bed of Bolton alley, to connect his house with the Wilson street sewer, which was read and referred to the Joint Standing Committee on Highways.

Mr. Torsch presented a petition from A. Rieman and others, against the repeal of the Liberty street sewer ordinance, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bond presented a petition from J. G. Harvey & Co., and others, against the repeal of the Liberty street sewer ordinance, which was read and referred to the Joint Standing Committee on Highways.

Mr. Price presented a petition from Patrick Horrigan, for permission to erect a frame shed in rear of lot on Hunt-

er's alley, which was read and referred to the Joint Standing Committee on Fire Department.

The President presented a memorial from the Building Committee of the new City Hall, for the passage of an ordinance for the construction of a drainage pipe from the new City Hall to McClure's dock, which was read and referred to the Joint Standing Committee on City Property.

The President presented a petition from John G. Dillehunt, for permission to sink a cess well on his premises, southwest corner of Baltimore and Caroline streets, which was read and referred to the Joint Standing Committee on Water.

The President presented an invitation from J. H. B. Latrobe, President of the Maryland Academy of Art, to visit a collection of paintings at their rooms, No. 34 Mulberry street, on Thursday evening, May 25th, which was read and,

On motion of Mr. Berry, the invitation was accepted.

The President presented an invitation from Fairfax Schley, Chairman of Executive Committee, to attend the laying of the corner-stone of the Maryland Institution for the Deaf and Dumb, at Frederick, at 2 o'clock P. M. on Wednesday, May 31, which was read and,

On motion of Mr. Berry, the invitation was accepted.

The President presented the following communication, which was read:

MAYOR'S OFFICE,

Pittsburg, Pa., May 20, 1871.

*To the President and Members of First Branch*

*of Councils of the City of Baltimore, Md. :*

GENTLEMEN :

I have the honor herewith to certify and transmit to

your honorable body, the enclosed resolutions of the Select and Common Councils of the City of Pittsburg, passed unanimously May 8th, 1871.

Yours respectfully,

JARED M. BRUSH, *Mayor*.

Resolved, 1st. That the Councils of the City of Pittsburg, fully recognizing the vast importance to this city of the recent completion of the Pittsburg and Connellsville Railroad, are unwilling to let the occasion pass without placing upon record our appreciation of a work which thus opens to our great manufacturing and industrial interests a new and independant route to the seaboard.

2d. That the commerce of Baltimore and the manufactures of Pittsburg each most efficiently supplements the other! And it requires no prophetic eye to foresee that the iron rails just laid will prove a main and vital artery for the circulation, with new and vigorous life, of the trade and travel, not only of the two cities, but of the great East and West.

3d. That we tender to W. O. Hughart, Esq., President of the Company, our congratulations on this auspicious result to his arduous and indefatigable labors; and we request the Presidents of Councils to purchase and present to him, in behalf of the city, some suitable testimonial, to mark our estimate of the invaluable services he has rendered those great interests we are here to represent, by the energy, zeal, and ability with which, through and over all difficulties and discouragements, he has prosecuted this important work to a successful completion.

4th. That Councils also recognize the invaluable aid and cooperation extended to this great enterprise by the city and citizens of Baltimore, and especially by the Baltimore and Ohio Railroad Company, as represented by Hon. John W. Garrett, its President; and we doubt not that their farsighted liberality will be most amply rewarded, through the new and important business relations which the opening of this road must at once build up between them and ourselves.

5th. That we are prepared to welcome our Baltimore brethren, not only to our factories and workshops, but to our homes. We extend to them a cordial invitation to our city; and however sombre and smoke-stained they may find it externally, we promise them that warm hearts and friendly greetings will be found within.

6th. That a committee of arrangements, seven from Select, and eight from Common Councils be appointed, to take in charge the hospitalities of the city on the occasion of the formal opening of the road.

In Select Council of the City of Pittsburgh, Pennsylvania, May 8th, A. D. 1871: read three times, and finally passed.

E. S. MORRISON,  
*Clerk of Select Council.*

In Common Council May 8th, 1871. Action of Select Council concurred in.

H. McMASTER,  
*Clerk of Common Council.*

Mr. Trippe moved that the communication be spread upon the Journal, and that a committee of three be appointed to extend to the Mayor and Councils of Pittsburg their congratulations on the auspicious event which promises so much for our mutual welfare.

The Chair appointed on the committee Messrs. Trippe, Bond, and Berry, and the communication was referred to said committee.

Mr. Torsch presented a remonstrance of Ferd. H. Kipp and others, against a nuisance at the foot of Johnson street, which was read and referred to the Joint Standing Committee on Health.

The ordinance entitled "An ordinance for the redivision of the wards of the city of Baltimore," being the order of the day for last Monday evening, came up and was read.



On motion of Mr. Mills, the ordinance was laid on the table.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of William Remington, for the construction of a sewer from the intersection of Oliver and Decker streets to Jones' Falls, respectfully state, that after having visited the locality named in said petition, and duly considered the same, believe that the public convenience requires that said sewer should be constructed without delay. They therefore report the following ordinance, and respectfully ask its passage :

S. SANDS MILLS,  
JNO. W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

An ordinance entitled an ordinance to construct a sewer from the intersection of Oliver and Decker streets to Jones' Falls, and repealing all ordinances conflicting therewith.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to construct a sewer, of the diameter of four and a half feet, from the intersection of Oliver and Decker streets along Oliver street to Morton alley, and thence along the ravine leading therefrom to Jones' Falls; and shall have constructed at the terminus of said sewer such catch-basin as shall be advised and approved by the City Commissioner; and shall have constructed at such places as may be necessary, all traps of the most approved plan, and such inlets as may be necessary to convey the water from the surface to said sewer,

and all such works as may be necessary to complete said sewer in the most approved manner.

SEC. 2. And be it further enacted and ordained, That the sum of eight thousand five hundred dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the completion of said sewer and traps, said sum to be taken out of any money in the city treasury not otherwise appropriated.

SEC. 3. And be it further enacted and ordained, That all ordinances, parts of ordinances, or supplemental ordinances, inconsistent or at variance with the provisions of this ordinance be, and the same are hereby, repealed.

On motion of Mr. Mills, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Mills introduced the following ordinance, which was read :

An ordinance to declare the bed of Madeira alley, between Pratt and Lombard streets, a public highway.

SECTION 1. Be it enacted by the Mayor and City Council of Baltimore, That the bed of Madeira alley, between Pratt and Lombard streets, as laid down on Poppleton's plat of the City of Baltimore, be, and the same is hereby, condemned as a public highway, and shall be subject to all ordinances regulating streets, lanes, and alleys in the City of Baltimore, as provided for by section 842, Article 4, Maryland Code Public Local Laws.

SEC. 2. And be it further enacted, That ordinance No. 74, approved May 12, 1871, entitled " An ordinance to open and condemn *Madeira alley*, between Pratt and Lombard streets," be, and the same is hereby, repealed.

On motion of Mr. Mills, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Randall, from the Joint Standing Committee on City Property, submitted the following report, and accompanying resolution, which were read :

The Joint Standing Committee on City Property, to whom was referred the petition of John F. Metz and others, appealing to the Mayor and City Council of Baltimore to have gas mains laid on Vine street, between Pine and Poppleton streets, respectfully report, that they have visited the locality referred to, and being of the opinion that the prayer of the petitioners should be speedily granted, beg leave to introduce the following resolution, and urge its adoption :

J. C. RANDALL,  
JOHN F. SOMMERLOCK,  
J. H. FREEBERGER,

*First Branch.*

JESSE R. OGLE,  
FREDERICK COOK,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Vine street, between Pine and Poppleton streets.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have repaired the pump situated at the northwest corner of Caroline street and Canton avenue, the expense to be taken out of the levy for pumps for 1871.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Hudgins offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Harman Kamp to sink a well, and erect a pump on the pavement in front of his store, situated on Canal street, near Pratt street, the expense of the same to be paid by the said Kamp, and said work to be done under the supervision of the Water Engineer.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

Mr. Trippe offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of five hundred dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the purpose of indexing the judgments of the Superior Court.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

Mr. Bruce offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Commissioner be, and he is hereby, directed to have the old pump stock corner of Gay and Aisquith streets removed, and the well properly secured, the expense of the same to be taken out of the annual appropriation for pumps for 1871.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.



Mr. Mills offered the following resolution, which was read :

Whereas, Officer Joseph C. Clark, a worthy and deserving police officer of the Middle District, lost his life on the night of the 22d of May last, while endeavoring to arrest Frederick Kusey, who was violating the law, and who shot him down without a moment's warning, leaving a wife and nine children unprovided for, therefore,

Be it resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to the widow of the late Joseph C. Clark one thousand dollars, out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

Mr. Mills offered the following resolution, which was read :

Whereas, The City of Baltimore having been selected by the High, Ancient and Honorable Masonic bodies of the United States of America, known as the "General Grand Encampment of Knights Templar of the United States," "General Grand Chapter of Royal Arch Masons of the United States," and "General Grand Consistory," at which to hold their next convention, on the third Tuesday of September next, 1871, therefore be it

Resolved by the Mayor and City Council of Baltimore, That the cordial hospitalities of the City of Baltimore be, and are hereby, tendered to the above named bodies, and the authorities of the city are requested to adopt such measures as will evince to our distinguished visitors the pleasure we have in welcoming them to our city, and will illustrate anew the frank and hearty greeting our citizens are ever ready to extend to such worthy and appreciated guests.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Mills offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That whenever the property-holders on both sides of North Boundary avenue, between North avenue Bridge and Pennsylvania avenue, or a majority of them, shall agree, at their own expense, to have both sides of said avenue curbed with a good six-inch curb, and paved to a distance of six feet from the curb line, the City Commissioner be, and he is hereby, directed to have the bed of said avenue graded and gravelled at the expense of the City of Baltimore ; the amount required to pay for the same to be taken out of the appropriation for highways and bridges.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

The following message was received from the Second Branch, and read :

IN SECOND BRANCH,  
Baltimore, May 25, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening it stand adjourned until Monday evening next at 5 o'clock.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Berry, the Branch concurred.

Mr. Mills offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore,

That the Water Engineer be, and he is hereby, authorized and directed to have the old pump removed on the southeast corner of Eager street and Central avenue, the work to be done in accordance with ordinances providing for the removal of pumps.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Mills offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have flag-stones placed on Chase street, running parallel with and on the east side of Bond street, also on Bond street, running parallel with and on the north side of Chase street, and that the expenses of the same be taken out of the appropriation for highways for 1871.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Kernan offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the old pump stock on Exeter street, near Hillen street, removed, and have the well properly secured.

On motion of Mr. Kernan, the resolution was read a second time, by special order, and adopted.

Mr. Kernan offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Abraham street, from Harford avenue to Jew alley.

On motion of Mr. Hudgins the resolution was read a second time, by special order, and adopted.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and empowered to have flagging of the proper size placed at the intersection of Eutaw and Biddle streets ; the expense of the same to be taken out of any money not otherwise appropriated.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Garden street, between Madison and Monument streets, and on Little Ross street, between Howard and Eutaw streets.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Warner street, between Lee and West streets, on Hamburg street, between Warner and Scott streets, and on Fremont street, between Eutaw and Warner streets.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Berry offered the following resolution, which was read :



Resolved by the First Branch C. C. Balto., That the Joint Standing Committee on Fire Department be requested to report an ordinance, for the appointment of Inspector of Boilers attached to the steam fire engines of Baltimore City.

The resolution of Mr. Berry was referred to the joint special committee having in charge the bill providing for the inspection of steam boilers.

Mr. Crout offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of forty-eight hundred dollars be, and the same is hereby, appropriated, from the city treasury, out of any money not otherwise appropriated, for the purchase of Winan's Chapel, on Raborg street, upon the terms set forth in resolution No. 108, approved May 2d, 1871.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

Mr. Price called up the ordinance known as No. 18 on the file, entitled " An ordinance to provide for the appointment of an inspector of buildings, and to prescribe his duties, which was read.

Mr. Randall moved to fill the first blank in the first section with \$2000.

Mr. Crout moved to fill it with \$1,200.

Mr. Smyrk moved to fill it with \$2,500..

The question being on the sum of \$2,500, it was declared lost.

The question being on the sum of \$2000, the yeas and nays were demanded by Mr. Ward, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Torsch, Bond, Price, Randall, Berry, Freeberger, and Ehlers—15.

*Nays*—Messrs. Ward, Sommerlock, and Crout—3.

The blank was ordered to be filled with \$2000.

Mr. Randall moved to fill the second blank with \$1,200.

Mr. Ehlers moved to fill it with \$1,400.

Mr. Crout moved to fill it with \$1000.

The question being on filling the blank with \$1,400, it was declared lost.

The question being on filling the blank with \$1,200, the yeas and nays were demanded by Mr. Randall, resulting as follows :

*Yeas*—Messrs. Kernan, Torsch, Price, Randall, and Berry—5.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Bond, Sommerlock, Freeberger, Ehlers, and Crout—13.

The motion was declared lost.

The question recurring on filling the blank with \$1000, it was declared so filled.

Mr. Crout offered the following amendment, which was read :

Strike out in first section of the bill the words “ be it enacted and ordained.”

The amendment was withdrawn.

On motion of Mr. Randall, the ordinance was laid upon

the table, and made the special order of the day for Monday afternoon next, May 29th, at 5½ o'clock.

Mr. Mills called up an ordinance known as No. 20 on the file, being an ordinance entitled "An ordinance to condemn and open Presstman street, from Gilmor street to Monroe street," which was read.

The question being on the passage of the ordinance, the title was approved, and the ordinance declared passed.

Mr. Mills called up an ordinance known as No. 21 on the file, entitled "An ordinance to condemn and close the Liberty road, from Gilmor street to Fulton street, and to condemn and open, in lieu thereof, a street of the width of sixty feet, which was read.

The question being on the passage of the ordinance, the title was approved, and the ordinance declared passed.

The Second Branch returned the resolution authorizing the payment of one thousand dollars to the widow of the late officer Joseph C. Clark, endorsed "adopted."

On motion of Mr. Weitzell, the Branch adjourned until next Monday afternoon, May 29th, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, May 29, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Trippe and Randall.

Mr. Mills presented a petition from Messrs. Norris & Baldwin to be refunded taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

The President presented a petition from James D. Hagerty, President of the Citizens' Passenger Railway Company, asking for additional privileges, with accompanying ordinance, which were read and referred to the Joint Standing Committee on City Passenger Railways.

The President presented a petition from Samuel Sands and others for the repeal of an ordinance of 1870 for opening an unnamed alley 20 feet wide, running parallel with Sharp and Hanover streets and between German and Lombard streets, which was read and referred to the Joint Standing Committee on Highways.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the ordinance entitled "An ordinance to provide for the appointment of an Inspector of Buildings and prescribe his duties," the President accordingly announced the order of the day, which was, on motion of Mr. Johnson, laid on the table.

Mr. Freeburger, from the Joint Standing Committee on Parks, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Parks, to whom were submitted the estimates of repairs and improvements required in Franklin Square, would respectfully state that they have examined into the matter, and find that two additional pumps are needed, costing \$200 each ; four new walks are needed to be opened through the quadrangles, costing in all \$200 ; forty new seats are required, costing \$280 ; for other repairs, &c., \$50 ; amounting in all to \$930. And they respectfully ask the adoption of the following resolution :

JACOB H. FREEBERGER,  
JOSEPH G. JOHNSON,  
HENRY WEITZELL,

*First Branch.*

JESSE R. OGLE,  
JOHN MILROY,

*Second Branch.*



Resolved by the Mayor and City Council of Baltimore, That the sum of nine hundred and thirty dollars, or so much thereof as may be necessary, be, and is hereby, appropriated for the improvement of Franklin Square, under the direction of the City Commissioner, to be taken out of the annual levy for 1871.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Freeburger, from the Joint Standing Committee on Parks, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Parks, to whom was referred the resolution of inquiry as to the expediency of making an appropriation to Union Square, would respectfully state that they have examined into the matter, and deem such an appropriation needed and desirable, and would move the adoption of the following resolution :

J. H. FREEBERGER,  
JOS. G. JOHNSON,  
HENRY WEITZELL,

*First Branch.*

JESSE R. OGLE,  
JOHN MILROY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the sum of five hundred dollars, or so much thereof as may be necessary, be, and is hereby, appropriated for labor performed and the improvement of Union Square, under the direction of the City Commissioner, to be taken out of the annual levy of 1871.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Mills offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have reconstructed the water works in Madison Square; to construct sewers, improve the walks, and repair the keeper's house, in the enclosure, and that the sum of three thousand dollars (\$3,000), or so much thereof as may be necessary, is hereby appropriated, to be taken out of any money in the treasury not otherwise appropriated.

The resolution was, on motion of Mr. Mills, referred to the Joint Standing Committee on Parks.

Mr. Mills offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, that a committee of three from each Branch be appointed by the presiding officers of the two Branches, for the purpose of making arrangements for the proper celebration of the 4th of July next, by the display of fire-works at the principal public squares, and to recommend such other proceedings as they may deem necessary to carry out the purpose and intent of this resolution.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

The President appointed as the committee on the part of this Branch, Messrs. Mills, Price, and Johnson.

Mr. Torsch offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the old pump removed on the southeast corner of Hill and Charles streets, the work to be done in accordance with ordinances providing for the removal of pumps.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Price introduced an ordinance providing for the payment of the interest on the bonds of the Western Maryland Railroad Company guaranteed by the city, which was read and, on motion of Mr. Price, referred to the Joint Standing Committee on Ways and Means.

Mr. Johnson introduced an ordinance entitled "An ordinance to lay railroad tracks on Charles and other streets in the city of Baltimore, which was read and referred to the Joint Standing Committee on City Passenger Railway.

Mr. Crout offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have the old pump stock, corner of Pennsylvania avenue and Lanvale street, removed, and the well properly secured, the expense of the same to be taken out of the annual appropriation for pumps for 1871.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

The President offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Mayor be, and he is hereby, requested to employ the House of Refuge Band to play at Patterson and Druid Hill Parks during the months of June, July, August, and September, of the present year. At the former place on Wednesdays and Saturdays, and at the latter on Tuesdays and Thursdays, during said months, and that the sum of one thousand dollars be, and the same is hereby, appropriated for the same, said sum to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Mills to strike out the words "House of Refuge Band," and leave it discretionary with the Mayor, the yeas and nays were demanded by Mr. Torsch, resulting as follows :

*Yeas*—Messrs. Bruce, Smyrk, Mills, Kernan, Bond, Price, and Sommerlock—7.

*Nays*—Messrs. President, Weitzell, Hudgins, Ward, Torsch, Berry, Freeberger, Ehlers, Johnson, and Crout—10.

The amendment was declared lost.

The question recurring on the adoption of the resolution, it was declared adopted.

A report from the Joint Standing Committee on Claims, with the following resolution, was received from the Second Branch and read :

Be it resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, directed to pay to John Murphy \$319.18 for taxes paid in error on mortgage on property on St. Paul street during the years 1862, '63, '64, '65, '66, and '67 ; provided the proper receipt shall be given for the same.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, May 29, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn on Thursday, June 15th, it stand adjourned until Monday, September 4th, 1871.

By order,

GEORGE T. BEALL, Jr., *Clerk.*



On motion of Mr. Johnson, the Branch concurred.

The following resolution was received from the Second Branch and read :

Be it resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have the pump at the southeast corner of Orleans and Bond streets repaired, the expense of the same to be taken out of the appropriation for pumps for 1871.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

A report of the Joint Standing Committee on Education, with the following resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Mayor, together with the President of the School Board and the City Commissioner, be, and they are hereby, authorized and directed to sell for the best possible price Public School House No. 5, and the lot of ground upon which the same is built and connected therewith, and to apply the proceeds of sale, or so much thereof as may be necessary, to the purchase of a more convenient and eligibly located lot in the Eighth ward, and the building of a new school house in lieu of the one hereby directed to be sold.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have the pump on the northeast corner of Eastern avenue and Chester street repaired, the expense of the same to be taken out of the appropriation of 1871 for pumps.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have a drain or gutter made across Green street opposite Cider alley.

On motion of Mr. Crout, the resolution was read a second time, by special order, and, on motion of Mr. Price, laid upon the table.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized to have flag-stones laid across German street, between Light and Grant streets, the expense of the same to be paid by the owners of the property.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

A preamble and resolutions in reference to the Pittsburgh and Connellsville Railway were received from the Second Branch and read.

On motion of Mr. Crout, the resolutions were read a second time, by special order and, on motion of Mr. Mills were referred to the joint special committee on the subject of the Pittsburgh and Connellsville Railroad.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That permission is hereby granted to H. Deck to sink a

well in front of the National Exchange Bank, on Sharp street, for the purpose of draining the cellar of the said bank, the same to be done under the supervision of the City Commissioner.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

A report of the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch and read.

Resolved by the Mayor and City Council of Baltimore, That the sum of \$3,400, or so much thereof as may be necessary be, and the same is hereby, appropriated to complete the sewer on Calhoun street, between Franklin street and Edmundson avenue, the work to be done under the supervision of the City Commissioner, and the contract to be awarded to the lowest responsible bidder.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

A report of the Joint Standing Committee on Fire Department, with the following resolution, was received from the Second Branch, and read:

Resolved by the Mayor and City Council of Baltimore, That the Superintendent of Fire Alarm Telegraph be, and he is hereby, directed to place a fire alarm box on the corner of Fort avenue and Johnson street, and the sum of three hundred dollars, or so much thereof as is needed be, and the same is hereby, appropriated for the purpose.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore,

That the City Comptroller be authorized and directed to have gas mains laid on Parkin street, between Pratt and Ramsey streets.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Conrad Dill, to sink a well and erect a pump in front of his premises, on the northwest corner of Pratt and Carey streets, the work to be done at his own expense, and under the supervision of the Water Engineer.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and required to pay to the proper officer of the Washington University the amount due said University for the support and maintenance of indigent sick and disabled persons in their hospital between February 16th and March 10th, 1871; provided that the Comptroller shall issue his warrant for the same, and that the terms and requirements of the general ordinance upon the same subject be complied with.

On motion of Mr. Crout, the resolution was read a second time, by special order and adopted.

A report from the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore,



That the sum of \$500, or so much thereof as may be necessary, be, and the same is hereby, appropriated to repair the Washington road.

On motion of Mr. Kernan, the resolution was read a second time, by special order, and adopted.

The following ordinance was received from the Second Branch and read:

An ordinance to prevent the payment of State claims.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That no claim shall hereafter be considered by the Council after the period of limitation has elapsed by which, under the law of Maryland, such claim would be barred.

SEC. 2. And be it further enacted, That this ordinance shall take effect from and after the date of its passage.

On motion of Mr. Ward, the ordinance was read a second time, by special order.

Mr. Price offered the following amendment:

Provided that nothing in this ordinance contained shall be taken to affect claims now before any committee of this Council for consideration.

The amendment was declared adopted.

The question recurring on the passage of the ordinance, the title was approved, and the ordinance declared passed.

Mr. Johnson offered the following amendment to the title of the bill, which was read:

Strike out the word "state" in the title of the bill, and insert in lieu thereof the word "old."

The question being on the amendment, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. Mills, Ward, Torsch, and Johnson—4.

*Nays*—Messrs. President, Weitzell, Hudgins, Bruce, Smyrk, Kernan, Bond, Price, Sommerlock, Berry, Freeberger, Ehlers, and Crout—13.

The amendment was declared lost.

The question recurring on the title of the ordinance, the title was approved, and the ordinance declared passed.

An ordinance authorizing the Mayor to accept from Mr. Wilkens the fee simple title to certain streets, was received from the Second Branch and read, and, on motion of Mr. Crout, was referred to the Joint Standing Committee on Highways.

A report of the Joint Special Committee, to whom was referred the matter of the John Street Park, with the following ordinance, were received from the Second Branch, and read.

An ordinance to condemn and open a public square, bounded on the north by Jones' Falls, on the south by John street, on the east by North street, and on the west by Charles street:

Whereas, application hath been made to the Mayor and City Council of Baltimore, for the condemnation and opening of a public square, to be bounded by Jones' Falls on the north, by John street on the south, by North street on the east, and by Charles street on the west, and notice of such application hath been given, as required by section 838 of the fourth Article of the Code of Public Local Laws, and,

Whereas, it is believed that the public convenience requires that said square shall be condemned and opened, therefore,

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets in the city of Baltimore be, and they are hereby, authorized and required to condemn and open a public square, bounded by Jones' Falls on the north, by John street on the south, by North street on the east, and by Charles street on the west.

SEC. 2. And be it enacted and ordained, That the Commissioners for Opening Streets in the city of Baltimore, shall proceed in all respects in the condemnation and opening of the public square described in the preceding section, in accordance with the provisions of Article forty-three (43) of Baltimore City Code, title "Streets and City Commissioner," sub-title "Commissioners for Opening Streets."

SEC. 3. And be it enacted and ordained, That the said Mayor and City Council of Baltimore shall not be required to pay any part of the damages and expenses incident to or growing out of the condemnation and opening of said square, except such proportion of said damages and expenses as may be assessed against the said Mayor and City Council of Baltimore, as an actual owner of property in the vicinity.

SEC. 4. And be it enacted and ordained, That said park shall be designated and known as Howard Park.

On motion of Mr. Johnson, the ordinance was read a second time, by special order.

The question being on the passage of the bill, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Smyrk, Mills, Kernan, Torsch, Bond, Price, Berry, Freeberger, Ehlers, Johnson, and Crout—15.

*Nays*—Messrs. Ward and Sommerlock—2.

The ordinance was declared passed, and the title approved.

The following ordinance was received from the Second Branch and read :

An ordinance to amend an ordinance entitled "An ordinance to provide for the medical and surgical treatment of indigent persons by the Professors of Washington University, and of the University of Maryland, Medical Departments," approved October 22, 1870.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That sections one, two and four of the ordinance to which this is a supplement, be, and the same are hereby, repealed, and that the said sections be re-enacted, as follows, viz :

"SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Trustees of the Poor, and the captains of police at the several station-houses, the ward managers of the poor, and the Commissioner of Health, or either of them, be, and they are hereby, authorized and empowered to send, or cause to be sent or taken, any indigent sick or disabled person of the city of Baltimore, who may be entitled to relief under the ordinances of the city, to the Hospitals of the Washington University and of the University of Maryland, for medical and surgical treatment by the professors of said Universities ; provided, that not more than fifty of such persons shall be in either of said Hospitals at any one time."

"SEC. 2. And be it enacted and ordained, That it shall be the duty of the Professors of said university to properly maintain and treat all persons so sent to their hospitals, by order in writing, so long as such persons, in the opinion of the Commissioner of Health, may be entitled to and require relief. And the said Professors shall keep separate lists of all persons sent to said hospitals under the provisions of this ordinance, in which shall be stated the name of the diseases treated by them, and they shall report in writing, twice a year at least, to the Trustees of the Poor, the number of persons received and treated by them and for what diseases. And it shall be the duty of the Commissioner of Health, or the Assistant Commissioner, to visit each of the said hos-



pitals once a week, and examine the patients who may be there under the provisions of this ordinance, and determine what number of them may be entitled to further treatment and relief."

"SEC. 4. And be it enacted and ordained, That the said Professors shall receive monthly, three dollars and twenty-five cents (\$3.25) per week for every person so received, maintained, and treated by them. And the City Register shall pay the said sum upon the warrant of the Comptroller; provided, that before the Comptroller shall issue such warrant, he shall require the certificate of the Commissioner of Health to be produced to him as to the correctness of the account."

SEC. 2. And be it enacted and ordained, That this ordinance shall take effect from and after the date of its passage.

The ordinance was laid on the table.

On motion of Mr. Johnson, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Tuesday, May 30, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Torsch presented a petition from Patrick O'Grady to erect a shed on an open lot in the rear of his building, No. 241 Columbia street, which was read and referred to the Joint Standing Committee on Fire Department.

Mr. Torsch presented a remonstrance from Chas. E. Herring, and others, against permission being granted to lay a railroad track at the corner of Park avenue, Howard, and Cathedral streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Torsch presented a remonstrance from Robert A. Dobbin, and others, against permission being granted to lay a railroad track at the corner of Park avenue, Howard, and Cathedral streets, which was read and referred to the Joint Standing Committee on Highways.

Col. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a message from his Honor the Mayor.

The President presented the following communication from his Honor the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, May 30, 1871.

*To the Honorable the President and Members of the  
First Branch of the City Council :*

GENTLEMEN :

I desire to call your attention to the fact that, on the third Monday of September next, the National Commercial Convention will convene in Baltimore City, in pursuance of the resolution of adjournment of the late Southern Commercial Convention, held in October last, at the City of Cincinnati, Ohio.

At this event, I am sure, the Council, as well as their entire constituency, will feel high gratification, as it will bring into our midst many of the most prominent business men from all parts of the country—men skilled in the varied industries of life, with quick, practical sagacity, ready to approve any circumstances of location, means of inter-communication, &c., enabling rapidity of transfer and consequent reduction of freights, which must ensure more faithful results to energy, skill, and enterprise; and to whom our ad-

vantages in those regards, as compared with other commercial cities, will become at once apparent.

Recognizing that valuable consideration, our able State and city delegations to the Southern Commercial Convention sought to secure its convening, as above-mentioned, in this city; and the Council, in anticipation of the same, I doubt not, will concur with me as to the importance, in view of the extensive correspondence to be had with all parts of the country and other preparations to be made to receive our guests with fitting hospitality on that occasion, of appointing, at once, the usual Council Committees, and of making, before adjournment for the summer recess, the necessary appropriation to defray the public expense incident thereto.

Respectfully,

ROBERT T. BANKS, *Mayor*.

On motion of Mr. Trippe, a committee of three was appointed to make special arrangements under the communication.

The Chair appointed as such committee, Messrs. Trippe, Berry, and Johnson.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Committee on Claims, to whom was referred the petition of John H. Weaver, for the payment of the funeral expenses of Wells and McComas; and also the petition of John Dobbin, for expenses in furnishing hacks for the same occasion, have investigated the subject, and report the following conclusions :

The committee find that these claims are now thirteen years old. No action, so far as we can discover, was ever taken by the city authorizing these expenses on her behalf; but it appears that the burials were inaugurated by authority of a club, or organization, actuated no doubt from patriotic motives, it being originally intended that the expenses were

to be paid by subscription. However much we may admire this spirit, we cannot feel that we would be just to the city in allowing claims as old as these, to be paid out of her treasury, when there is nothing to show that she ever authorized, or was a party to the transaction.

We therefore recommend the adoption of the following resolutions:

BENJAMIN PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

J. I. GROSS,  
FREDERICK COOK,  
CHAS. G. KERR,

*Second Branch.*

Resolved, That the Committee on Claims be discharged from further consideration of the petition of John H. Weaver, asking compensation for the burial expenses of Wells and McComas.

Resolved, That the Committee on Claims be discharged from further consideration of the petition of J. Dobbin, for the payment of expenses of hacks, &c., at the funeral of Wells and McComas.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read:

The Committee on Claims, to whom was referred the petition of Mary C. Roley, asking a return of taxes paid in error for the year 1868, have examined the matter, and report that they find the tax paid was upon the stock of the National City Bank, and the National Union Bank, located in Boston; and that the tax upon said stock was, by law of



Congress, made collectable where the banks were located, and not elsewhere. We therefore recommend the adoption of the following resolution :

BENJAMIN PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

J. I. GROSS,  
FREDERICK COOK,  
CHAS. G. KERR,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to Mary C. Roley the sum of nineteen dollars and 59-100, amount of taxes paid in error on the stock of the National City Bank, and the National Union Bank, located in Boston ; provided, a proper receipt is given therefor.

On motion of Mr. Sommerlock, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Charles Dunn, have investigated the subject, and beg leave to report the following as the result of their investigations :

When the advertisements were originally inserted in the papers for bids on the work of the Richmond Market-house, the said Dunn was awarded the contract, being the lowest bidder for the same. He gave bonds to the city for the proper execution of the work, and entered into contracts for lumber, bricks, iron, &c., a large portion of which, together with the sand for mortar, were hauled and delivered on the premises. On the 31st of October, 1870, the City Com-

missioner notified the said Dunn not to proceed with the work, a change of plan having become necessary in consequence of the Council passing a resolution providing for the combination of a market-house and hall. The work was stopped and the petitioner erected a frame shop at some expense, and proceeded to store therein the material already delivered upon the ground; this shed, it is alleged, was opened and a large portion of the material taken off.

The city authorities advertised again for proposals on the building under the new design, and the petitioner put in his proposal, protesting against the new bids and claiming the right to the work. He did not however receive the award, and the subject matter of his petition is now to ask the Council to remunerate him for his losses.

The committee are unanimous in agreeing that the petitioner ought to be compensated for the losses already sustained, and also the damage from parties who claim to hold him to his contracts, and two modes of adjustment presented themselves:

1st. To pay to the petitioner a round sum, taking from him the materials already purchased and assuming the contracts for those not delivered; after a short reflection, the committee thought this mode would involve the city in complications; and we have concluded to allow the said Dunn to keep whatever material he has on hand and settle his own account with his contractors, and to pay the said Dunn \$4,000 for his losses, which the committee believe, under the circumstances, to be a reasonable and proper amount.

They therefore report the following resolution, and recommend its adoption:

BENJ. PRICE,  
JACOB H. FREEBERGER,  
H. CROUT,

*First Branch.*

J. I. GROSS,  
FREDERICK COOK,  
CHAS. G. KERR,

*Second Branch.*

Resolved by the Mayor and City Council, That the City Register be, and he is authorized and directed, to pay to Charles Dunn, out of any money in his hands, not otherwise appropriated, the sum of four thousand dollars; provided said Dunn shall deliver to said Register a full release and discharge to the city of and from all damages of any kind or description, arising from, or that may arise from, the losses or damage which the said Dunn has sustained by reason of the action of the city in relation to the contract or contracts for the building of the Richmond market-house.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Claims, to whom was referred the petition of Norris & Baldwin, asking for the return of taxes paid in error in the years 1868 and 1869, beg leave to make the following report:

Your committee have very carefully examined the petition and the tax bills of the petitioners, for the years 1868 and 1869, and find that for the year 1868 the petitioners paid to the Collector of city taxes the sum of twenty-two 56-100 dollars, and for the year 1869, the sum of twenty-nine 44-100 dollars, upon ten shares of the capital stock of the Shenandoah Valley National Bank, and ten shares of the Petersburg National Bank, that said banks were organized under the act of Congress of 1864 and the amendments thereto providing for the establishment of national banks, and that said act provides that "the shares of any national bank, owned by non-residents of any State, shall be taxed in the city or town where said bank is located and not elsewhere." That said Norris & Baldwin, the petitioners, are non-residents of the State of Virginia, the State where said banks are located, and your committee are therefore clearly of the opinion that said taxes were paid in error, and that the assessment made upon said bank stock was in violation of said act of Congress.

Your committee therefore report the following resolution and recommend its adoption :

BENJ. PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

J. I. GROSS,  
FREDERICK COOK,  
C. G. KERR,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Register be, and he is hereby, authorized and directed to pay unto Norris & Baldwin, out of any money in his hands not otherwise appropriated, the sum of fifty-two dollars, being the amount of taxes erroneously paid by Norris & Baldwin upon ten shares of the Shenandoah Valley National Bank and ten shares of the Petersburg National Bank, for the years 1868 and 1869.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

Mr. Bruce offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have a new pump-stock put in and the well properly cleaned on the corner of Forrest and Orleans streets, the expense of the same to be taken out of the annual appropriation for pumps for 1871.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Bruce offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore,



That William H. Boone be, and he is hereby, granted the privilege of erecting a one-story frame summer kitchen, 8x8 feet, on his premises, No. 166 Aisquith street.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

Mr. Sommerlock offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the pump at the northeast corner of Saratoga and Fremont streets, put in repair, the expense of the same to be taken out of the annual appropriation for pumps for 1871.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

Mr. Freeberger offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Walker street, between Columbia and Cross streets, and on Wyeth street between Columbia and Cross streets.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read :

Whereas, officer James Murphy, a worthy and esteemed policeman of the Western District of the City of Baltimore, was foully murdered on the 4th of July, 1870, in the Lexington Market, in said city, while engaged in quelling a riot, leaving a widowed mother without adequate means of support, in recognition of his devotion to duty to the death—

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, directed to pay the sum of one thousand dollars out of any money in the treasury not otherwise appropriated, to Mrs. Murphy, the mother of the late officer James Murphy, of the Police Force of Baltimore City, who was murdered while in discharge of his duty in said city on the 4th day of July, 1870.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

The President presented an invitation from M. A. Newell, President of the State Normal School, to attend the commencement of that school on Thursday evening, to be held at the Concordia, which was read and, on motion of Mr. Johnson, the invitation was accepted.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Register, upon warrant of the Comptroller, be, and he is hereby, authorized to pay to the administrator of the estate of the late I. Harry Weaver the amount of salary for the full term.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the Water Engineer be, and he is hereby, directed to inquire into the cause of a failure to supply the neighborhood at the intersection of McHenry and Poppleton streets with hydrant water.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of one hundred dollars, or so much thereof as may be necessary, be, and is hereby, appropriated out of the levy of 1871, for the purpose of repairing and having whitewashed Hollins market-house, said appropriation to be expended under the direction of the City Comptroller.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read :

Resolved by the First Branch of the City Council, That the Health Commissioner be, and he is hereby, requested to have the streets cleaned at the intersection of Poppleton and McHenry streets and in the adjoining streets west of Poppleton, where the same is necessary.

Mr. Berry offered the following amendment, which was read :

Strike out all as to location with resolution, and insert "all the streets of the city."

Mr. Johnson asked permission to withdraw his resolution.

Mr. Randall objected.

The question being shall Mr. Johnson have the privilege of withdrawing the resolution, Mr. Johnson demanded the yeas and nays, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Smyrk, Ward, Torsch, Bond, Price, and Johnson—9.

*Nays*—Messrs. Trippe, Bruce, Mills, Kernau, Sommerlock, Randall, Berry, Freeberger, Ehlers, and Crout—10.

The Branch refused the privilege of withdrawing his resolution.

Mr. Berry offered the following amendment to the amendment, which was read and adopted :

“ And he be instructed to commence first at the corner of McHenry and Poppleton streets.”

The question being on the passage of the amendment, it was declared adopted.

The question being on the adoption of the resolution, it was declared adopted as amended.

Mr. Bond asked leave to withdraw the claim of the Mander estate, presented by him and referred to the Joint Standing Committee on Claims. The leave was granted.

Mr. Johnson offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the Board of Fire Commissioners be, and they are hereby, requested to inform this Branch of the cause of delay in establishing the new Steam Engine Company, as provided for by ordinance, west of Poppleton and south of Baltimore streets.

Mr. Johnson offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the Joint Standing Committee on Parks be, and they are hereby, directed to inquire into the expediency of purchasing Stoneman's hill, at the foot of Ridgely street, for park purposes.

The following message was received from the Second Branch, and read :

IN SECOND BRANCH,  
Baltimore, May 30, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Thursday afternoon next at 5 o'clock.

By order,

GEO. T. BEALL, Jr., *Clerk.*



On motion of Mr. Johnson, the Branch concurred.

Mr. Freeberger offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That Thomas B. F. Reed be, and he is hereby, authorized and empowered to construct a sewer from Fremont to Poppleton street, on Ramsey street, the work on the same to be done under the direction of the City Commissioner, and the expense thereof to be defrayed by the said Reed.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Mills offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, directed to have gas mains laid on Madison street, between Bond street and Broadway.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Fire Department, to whom was referred a resolution asking the placing of a fire alarm telegraph box on the corner of East Fayette and Bond streets, beg to report the following resolution :

S. SANDS MILLS,  
JOHN W. TORSCH,  
J. C. RANDALL,

*First Branch.*

FREDERICK COOK,  
J. I. GROSS,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Superintendent of the Fire Alarm Telegraph be, and he is hereby, instructed to erect a fire alarm telegraph box on the corner of Fayette and Bond streets, and that he be authorized to draw on the City Register for the sum of \$375 to defray the expenses of the same.

On a motion by Mr. Mills to suspend the rules, the Chair being unable to decide, he ordered the call of the yeas and nays, which resulted as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Bond, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, and Crout—17

*Nays*—Mr. Price—1.

The rules were declared suspended.

The question recurring on the adoption of the resolution, it was declared adopted.

The Second Branch returned the ordinance making further provision for the improvement of Jones's Falls, with the following amendments, which were read:

Strike out in *first section* the name of "Henry M. Warfield" and insert in lieu thereof the name of "David L. Bartlett."

Strike out in *same section* the name of "James G. Ramsey" and insert in lieu thereof that of "John Wickersham."

Strike out in *same section* all after the word "the" in fifth line, and insert in lieu thereof the words "Commission for the examination of plans for the Jones's Falls Improvement."

Strike out of section 2, line two, the words "within forty days from the date of their qualification," and add at the *end of the section* the words "the said report shall be made at the earliest possible moment, and on or before the meet-

ing of the Council in September ; and if, during the recess of the Council, the Commissioners should be prepared to report, the Mayor be requested to convene the Council in extra session, to receive the result of such examination."

Strike out *section five*, and number sections *six* and *seven* sections five and six respectively.

Mr. Trippe moved that a committee of conference of three members from each Branch be appointed on the disagreeing votes of the two Branches on the ordinance.

The motion was adopted, and the Chair appointed as the committee on the part of this Branch, Messrs. Trippe, Price, and Freeberger.

The amendments, on motion of Mr. Trippe, were referred to the joint special committee of conference.

On motion of Mr. Kernan, the Branch adjourned until next Thursday afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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Thursday, June 1, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Smyrk, Kernan, and Randall.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Adolph Ahrens (trustee), and Lambert Gittings, for relief from the assessment of benefits for

the opening of Park street, have examined the subject and conclude, under all the circumstances, not to interfere in the matter.

These gentlemen were assessed under the ordinance providing for the opening of said street, which ordinance expressly authorizes an appeal to the Baltimore City Court, within a period limited by the general law passed in 1866, and No. 26 of that date. They have failed to prosecute their appeal within the time, and now ask the Council to remedy the error.

The committee do not intend by this report to express any opinion on the case, but simply to say: that to allow the claims now, would be to disarrange the whole assessment and cause delays in the prosecution of the work, which would be unjust to those who have paid their assessments and are anxious that the street should be opened; and that whatever we may think of the justice of their claims, they have, by their own laches, neglected to take advantage of it. The committee therefore report the following resolutions, and recommend their adoption:

BENJAMIN PRICE,  
J. H. FREEBERGER,

*First Branch.*

J. I. GROSS,  
FREDERICK COOK,

*Second Branch.*

Resolved, That the Committee on Claims be discharged from further consideration of the petition of Adolph Ahrens (trustee), asking relief from the assessment of benefits for the opening of Park street.

Resolved, That the Committee on Claims be discharged from further consideration of the petition of Lambert Gittings, asking relief from the assessment of benefits on his property for the opening of Park street.



On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Claims, to whom was referred the petition of F. Livingston for return of taxes paid in error, find, upon examination, that the said Livingston paid taxes on stock and furniture, at 232 Light street, on May 13, 1869, and September 27, 1869, both payments being for the year 1868. Upon consultation with the City Collector, that officer recognized them as undoubtedly duplicate payments, and recommended the amount of the last bill to be returned to the petitioner.

The committee report the following resolution, and recommend its adoption:

BENJAMIN PRICE,  
J. H. FREEBERGER,

*First Branch.*

J. I. GROSS,  
FREDERICK COOK,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to F. Livingston the sum of five dollars and 68-100, out of any money he may have in his hands not otherwise appropriated; provided the said Livingston gives a proper receipt therefor.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Claims have examined the petition of John S. & R. S. Carswell, and report the following as the result of their investigations:

We find, upon consultation with the City Commissioner, that the bills are reasonable and proper, and the work at the crossing of the streets was actually done, and that the city has paid claims of this kind, whenever presented with proper vouchers for their correctness and proof of payment by the party claiming.

We therefore report the following resolution, and recommend its adoption:

BENJAMIN PRICE,  
J. H. FREEBERGER,

*First Branch.*

J. I. GROSS,  
FREDERICK COOK,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to draw upon the City Register for the sum of one hundred and forty-nine 30-100 dollars, out of the appropriation for the crossings or intersection of streets, and pay the same to Jno. S. & R. S. Carswell; provided, the said parties shall produce to said Commissioner the proper vouchers, and give a proper receipt therefor.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Claims, to whom was referred the petition of John Burris, asking a return of money paid to the City Collector for property sold to him

in 1856, have given the subject an examination, and herewith report, that about the year 1858, the sum of \$27.50 was paid by said John Burris, during all of which time until 1868, he took no action to obtain the same, and in that year he applied to the Council for relief, we have no evidence of what the Council did at that time, but believe we are not justified in giving the matter further consideration.

The committee report the following resolution, and recommend its adoption :

BENJ. PRICE,  
J. H. FREEBERGER,  
*First Branch.*

J. I. GROSS,  
FREDERICK COOK,  
*Second Branch.*

Resolved, That the Committee on Claims be discharged from further consideration of the petition of John Burris, for payment of a sum of money, on property bought from city at a tax sale in 1856.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Health, to whom was referred the petition of William Kopp and others, asking the abatement of a nuisance at the foot of Johnson street, South Baltimore, respectfully beg leave to report that the neighborhood in question requires the immediate attention of the health authorities, and ask the adoption of the accompanying resolution:

G. MORRIS BOND,  
JOS. G. JOHNSON,  
*First Branch.*

J. I. GROSS,  
A. W. DUKE,  
JESSE R. OGLE,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Commissioners of Health be requested to visit the foot of Johnson street, and devise some mode by which the sanitary condition of the locality in question may be improved.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Philip Hiss, asking the condemnation and opening of Stoddart alley, from the north side of Townsend street, to the north side of Mosher street, beg to report, that the proper notice having been given, we see no reason why the prayer of the petitioner should not be granted, we therefore offer the following ordinance and ask its adoption :

S. SANDS MILLS,  
G. MORRIS BOND,  
JNO. W. TORSCH,

*First Branch.*

JOHN MILROY,  
WM. H. VICKERY,

*Second Branch.*

An ordinance to declare the bed of Stoddart alley, from the north side of Townsend street, to the north side of Mosher street, a public highway.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the bed of Stoddart alley, from the north side of Townsend street, to the north side of Mosher street, be and the same is hereby condemned as a public highway, and shall be subject to all ordinances regulating streets, lanes and alleys in the city of Baltimore.



On motion of Mr. Sommerlock, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Ward offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have removed the old pump-stock at the corner of Calvert street and Bank lane, and the well properly secured, the expense of the same to be taken out of the levy for pumps for 1871.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

Mr. Ward, from the Joint Standing Committee on City Passenger Railway, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on City Passenger Railway, to whom was referred the petition of Jas. S. Hagerty in behalf of the Citizens' Passenger Railway, asking for the privilege of laying down additional tracks in certain streets of the city of Baltimore, respectfully state that after having investigated the merits of said petition, they can see no reason why the privilege asked for should not be granted ; they therefore offer the following ordinance, and respectfully ask its passage.

OWEN WARD,  
JOHN W. TORSCH,

*First Branch.*

H. MCCOY,  
FREDERICK COOK,  
CHAS. G. KERR,

*Second Branch.*

The ordinance was declared laid upon the table.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, May 30, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition to refer the disagreeing vote of the two Branches on the ordinance for the improvement of Jones' Falls, to a joint special committee, and name as said committee on part of this Branch, Messrs. Kerr, Vickery and Gross.

By order,

GEO. T. BEALL, JR., *Clerk.*

Mr. Price offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized to lay flag stones at the crossings, on the corners of Park avenue and McMechen street, and, also on Park avenue, at the crossing of Dolphin street.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

Mr. Price offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized to remove the sewer from the corner of McMechen street and Park avenue, and place the entrance thereof at the corner of McMechen street and Foster alley, and that said Commissioner be, and he is hereby, authorized to draw upon the City Register for the amount necessary to carry the same into effect.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

Mr. Price introduced an ordinance entitled "An ordinance for the relief of the members of the police force, &c.," which was read.

On motion of Mr. Price, the ordinance was made the special order of the day for Monday afternoon next at 5 o'clock.

Mr. Price offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be directed to have flagstones laid across Mosher street, where it intersects the northeast side of Linden avenue.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Berry introduced the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to repair the pump situated on the corner of Henrietta street and Peach alley, and if in his opinion the present pump-stock is not worth repairing, he is hereby authorized to remove the same and place a new pump in its place, the expense of the same to be taken out of the annual appropriation for pumps for 1871.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

Mr. Freeberger offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That the Health Commissioner be requested to have the nuisance removed from the corner of Scott and McHenry streets, at the earliest possible time.

Mr. Freeberger offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the Committee on Parks be, and they are hereby, instructed to inquire into the expediency of making an appropriation to Mt. Vernon Square.

Mr. Freeberger offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have repaired the pump, situated at the southeast corner of south Paca and Carry streets, the expenses to be taken out of the levy for pumps for 1871.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

Mr. Trippe introduced an ordinance entitled "An ordinance to prevent the deposit of rubbish and noxious matters on vacant lots within the city limits," which was read.

The ordinance was referred to the Joint Standing Committee on Health.

Mr. Mills called up the ordinance known as No. 18 on the file, entitled "An ordinance to provide for the appointment of an inspector of buildings, and to prescribe his duties," which was read.

Mr. Mills offered the following amendment, which was read :

In section 1, 4th line, after the word "Buildings," insert the words, "Who shall be a practical Carpenter and Draughtsman."

The amendment was declared adopted.



Mr. Trippe offered the following amendment which was read:

In 3d section, 9th and 10th lines, strike out the words "And shall be similar to those now in use."

The amendment was declared adopted.

Mr. Bond offered the following amendment, to come in at the end of the 7th section, which was read:

"And any person, or persons, placing upon his, hers, or their premises any of the appliances enumerated in this section, without having first obtained a permit for the same from the Mayor, shall forfeit and pay for every day the same shall remain thereon the sum of five dollars."

Mr. Trippe offered the following amendment to the amendment:

To come in after the word "section" in third line of Mr. Bond's amendment: "except steam boilers."

To come in at the end of Mr. Bond's amendment and at end of amendment: "and in case of the violation of this section by the erection of a steam boiler, shall forfeit and pay a fine of ten dollars per day for each and every day the same shall remain without permit."

The amendment to the amendment was declared adopted.

The question recurring on the passage of the amendment, it was declared adopted.

Mr. Trippe offered the following amendment, which was read:

In section 8, strike out all line 7, and the word "thereof" in line 8, and insert the words "within or in the rear of which it is to be erected."

The amendment was declared adopted.

Mr. Trippe moved that the words, "Be it further enacted and ordained," be placed at the beginning of each section from the first.

Mr. Trippe offered the following as section 13, which was read and adopted :

"SECTION 13. Be it further enacted and ordained, That all ordinances and parts of ordinances conflicting with this ordinance be, and the same are hereby, repealed."

Mr. Trippe offered the following as section 14, which was read and adopted :

"SECTION 14. Be it further enacted and ordained, That this ordinance shall take effect from and after the date of its passage."

The question recurring on the passage of the bill, the title was approved, and the ordinance declared passed, as amended.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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Friday, June 2, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Hudgins, Trippe, and Kernan.

Mr. Torsch presented a petition from George P. Frick,

for the building of a sewer under the bed of John and Mosher streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Price presented a petition from the Baltimore Pearl Hominy Company, against the establishment of the John Street Park, which was read and referred to the joint special committee on John Street Park.

Mr. Price presented a petition from David A. Jones, and others, to cover the crossing of Camel alley with iron plating, which was read and declared laid on the table.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the ordinance which passed the Second Branch on May 25th, entitled "An ordinance authorizing the Mayor to accept from William Wilkens the fee simple title to certain streets," have given the matter their consideration, having visited the locality and made a personal inspection of all the streets named in the ordinance titled as above, and beg leave to report that, in view of the extended improvements now in progress through the individual enterprise of our public-spirited citizen, Mr. Wm. Wilkens, which is now rapidly opening up a large tract of land, consisting of 300 acres, the streets which intersect the same being now thoroughly graded and buildings already in progress, that the city should, without hesitation, accept a deed for the streets indicated by the accompanying ordinance, the adoption of which we respectfully urge.

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
W. H. VICKERY,

*Second Branch.*

An ordinance authorizing the Mayor to accept from William Wilkens, the fee simple title to certain streets.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor be, and hereby is, authorized to receive from William Wilkens, the fee simple title to the beds of the following streets, lying within the limits of the property owned by the said Wilkens, provided the same be tendered to him in a good and sufficient deed, to be approved by the City Solicitor, and free from all costs and charges to this corporation connected with the said cession, viz.: Monroe street, Payson street, Pulaski street, Smallwood street, and Bentalou street, from Pratt street to the southern boundary of said Wilkens' land; McHenry street, between Monroe and Bentalou streets; New street, from Pulaski street to Bentalou street; Ramsey street, from Monroe street to the west side of Bentalou street; Wilkens' avenue, from Monroe street to the western limits of the city; Eagle street, from Monroe street to the western limits of the city; and also, the beds of all the alleys laid down within the limits of the property of the said Wilkens, upon a plat thereof filed with the Register of the city, and a copy of which shall be attached to the deed of cession of said streets and alleys.

On motion of Mr. Johnson, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of F. Livingston for return of taxes paid in error, find, upon examination, that the said Livingston paid taxes on stock and furniture at 232 Light street, on May 13, 1869, and September 27, 1869, both payments being for the year 1868. Upon consultation with the City Collector, that officer recognized them as undoubtedly duplicate payments, and recommended the amount of the last bill to be returned to the petitioner.



The committee report the following resolution, and recommend its adoption :

BENJ. PRICE,  
J. H. FREEBERGER,  
*First Branch.*

J. I. GROSS,  
FREDERICK COOK,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to F. Livingston the sum of five dollars and 68-100, out of any money he may have in his hands not otherwise appropriated ; provided the said Livingston gives a proper receipt therefor.

On motion of Mr. Mills, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Johnson proposed a message to the Second Branch, that when the Council adjourn this evening, it stand adjourned until Monday afternoon next, at 5 o'clock.

The message was ordered to be sent.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Messrs. Cary & Co. for permission to construct a switch from their coal yard on Cathedral street to the railroad track on said street, respectfully report that after having examined the location referred to in said petition, they find the privilege asked for very necessary for the said Cary & Co. to carry on with effect their business as coal dealers.

They therefore offer the following resolution, and respectfully ask its adoption:

S. SANDS MILLS,  
JNO. W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That Messrs. Cary & Co. be, and they are hereby, permitted to have constructed a switch from their coal yard on Cathedral street to the railroad track on said street, said switch to tap said track at the distance of fourteen feet from the building line of Biddle street, the grade of the highway not to be disturbed, and the whole of said work to be done under the supervision of the City Commissioner.

On motion of Mr. Ehlers, the resolution was read a second time, by special order.

Mr. Bond offered the following amendment, which was read:

Provided, however, that before the resolution shall take effect the said Cary & Co. shall remove all obstructions from the bed of Park street (now in their occupation), between Howard and Biddle streets, and heretofore condemned for public use, so that the same may be open to the free passage of vehicles and pedestrians.

On motion of Mr. Crout, the ordinance was laid upon the table.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Highways, to whom was referred the petition of certain citizens asking the re

peal of the ordinance for the opening of Sterrett street, between Columbia and Ramsey streets, and re-enacting the same, respectfully state that after having examined the street to be opened, they believe it expedient and proper that the line of street should be changed. They therefore offer the following ordinance, and respectfully ask its passage:

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

An ordinance to repeal section 1 of ordinance No. 94, approved October 25, 1870, and re-enact the same.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That section 1 of ordinance No. 94, approved October 25, 1870, be, and the same is hereby, repealed, and the following enacted in lieu thereof:

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, authorized and directed to condemn and open all that part of Sterrett street lying between Ramsey and Columbia streets, in such manner that the said street between said points, when opened, shall be a direct continuation of said Sterrett street from Ramsey street south to Columbia street; provided, however, that said street to be opened shall have no greater width than fifty feet.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, June 2, 1871.

*Gentlemen of the First Branch:*

We respectfully inform you that we have concurred in your proposition to adjourn until Monday afternoon next.

By order,

GEO. T. BEALL, Jr., *Clerk.*

Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Health, to whom was referred the consideration of an ordinance to prevent the deposit of rubbish and noxious matter on vacant lots within the city limits, respectfully beg leave to report that they believe the subject worthy of the immediate attention of this body, and recommend the adoption of the following ordinance:

G. MORRIS BOND,  
JOSEPH G. JOHNSON,  
*First Branch.*

A. W. DUKE,  
JESSE R. OGLE,  
J. I. GROSS,  
*Second Branch.*

An ordinance to prevent the deposit of rubbish or other noxious matter upon vacant lots within the limits of the city of Baltimore:

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passage of this ordinance it shall not be lawful for any person, or persons, to put, place, or deposit upon any vacant lot, or lots, within the limits of the city of Baltimore, any noxious or offensive matter, or material; and any person or persons so offending shall, for each and every day said prohibited material shall remain after five days notice of removal from



the Mayor, forfeit and pay the sum of five dollars, to be collected as other fines.

SEC. 2. Be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order.

Mr. Price offered the following amendment, which was read :

Insert in the body of the ordinance the word "garbage."

The amendment was declared adopted.

Mr. Price offered the following amendment, which was read :

In penalty, strike out "\$5," and insert "\$10."

The amendment was declared adopted.

On motion of Mr. Price, the first section was reconsidered.

Mr. Price offered the following amendment to the first section of the ordinance, which was read :

Strike out all after the word "every," and insert "such offense forfeit and pay the sum of ten dollars, to be collected as other fines."

The amendment was declared adopted.

Mr. Price offered the following amendment to the title, which was read :

Insert in the title of the ordinance the word "garbage."

The ordinance was declared passed, as amended, and the title approved.

Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Health, to whom was referred the petition of Allen B. Magruder, and others, asking that the driving of cattle, sheep, &c., through Lexington street, should be forbidden by ordinance, respectfully beg leave to report that while they are fully impressed with the fact that great annoyance is caused to the dwellers on the street in question, as well as on the other routes so used, they do not believe in the present location of the points to which it is necessary that these cattle should be driven preparatory to being slaughtered, or shipped by rail, that the public interest would permit the entire closing of Lexington street, or the other thoroughfares, against their passage. They think, however, that the routes past Franklin and Union squares should be kept clear from the presence of horned or other cattle, as here their presence becomes not only a source of great annoyance to the crowd of visitors, principally women and children, who resort to these squares, but extremely dangerous to the latter. Your committee, while not recommending the granting of the prayer of the petitioners to the extent asked, would nevertheless recommend the passage of the following ordinance:

G. MORRIS BOND,  
JOS. G. JOHNSON,

*First Branch.*

A. W. DUKE,  
JESSE R. OGLE,  
J. I. GROSS,

*Second Branch.*

An ordinance entitled "An ordinance to repeal section 166 of Article 33 of the Baltimore City Code, entitled 'Streets and Commissioners,' and to re-enact the same, with amendments."

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passage

of this ordinance, it shall not be lawful for any person or persons to drive any cattle, sheep, or hogs, eastwardly or westwardly along Lexington or Fayette, Hollins or Lombard streets, between Republican and Fulton streets, under a penalty of twenty dollars for each offense.

SEC. 2. And be it enacted and ordained, That this ordinance shall take affect from the date of its passage.

On motion of Mr. Bond, the ordinance was laid upon the table.

Mr. Randall, from the Joint Standing Committee on City Property, submitted the following report and accompanying ordinance which were read :

The Joint Standing Committee on City Property, to whom was referred the communication of the Building Committee of the new City Hall, in reference to a cast-iron drainage pipe, to be laid down from the new City Hall to McClure's dock, beg leave to report that they have thoroughly examined the matter, and are satisfied of the great necessity of said drainage pipe, and therefore offer the following ordinance and recommend its adoption :

J. C. RANDALL,  
J. H. FREEBERGER,

*First Branch.*

JESSE R. OGLE,  
FREDERICK COOK,  
JOHN MILROY,

*Second Branch.*

An ordinance to provide for drainage for the new City Hall.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Building Committee of the new City Hall be, and they are hereby, authorized to lay a cast-iron drainage pipe, of such size as they may deem best fitted for the purpose, from the new City Hall to McClure's dock, through such public streets or alleys as may be designated by the City Commissioner.

SEC. 2. And be it enacted and ordained, That the said drainage pipe shall be laid under the supervision of the City Commissioner.

SEC. 3. And be it enacted and ordained, That this ordinance shall take affect from the date of its passage.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Freeberger, from the Joint Standing Committee on Parks, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Parks, to whom was referred the resolution of inquiry as to the expediency of making an appropriation to Mount Vernon square, would respectfully state that they have examined into the matter, and deem an appropriation needed and desirable, and would move the adoption of the following resolution :

J. H. FREEBERGER,  
JOS. G. JOHNSON,  
HENRY WEITZELL,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the sum of three hundred dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the improvement of Mount Vernon square, under the direction of the City Commissioner, to be taken out of the annual levy of 1871.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

Mr. Weitzell offered the following resolution, which was read :



Be it resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, instructed to have gas mains laid on South Ann street, south of Thames street.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

Mr. Price offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to place iron crossings over Camel alley, at its intersection with and on both sides of Park avenue, and that he be further authorized to draw on the City Register for an amount sufficient to pay for the same.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Berry offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the City Commissioner be requested to inform this Branch what it is that retards the grading and paving of Hanover street from West street to the limit of direct taxation, as per ordinance passed and approved by the Mayor in November last.

Mr. Smyrk called up ordinance known as No. 24 on the file, being an ordinance entitled "An ordinance supplementary to ordinance No. 70 of ordinances of 1868, approved July 9, 1868."

Mr. Torsch offered the following amendment, which was read :

Line 13—strike out the words "on Howard street, from Fayette street to Camden street depot."

The amendment was declared adopted.

It being discovered that a quorum of members was not

present in the Branch, on a motion of Mr. Sommerlock to adjourn for the want of a quorum, the yeas and nays were demanded by Mr. Smyrk, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Mills, Torsch, Price, Sommerlock, Berry, Freeberger, Ehlers, and Crout—10.

*Nays*—Messrs. Bruce, Smyrk, and Ward—3.

The Branch was declared adjourned until Monday afternoon next at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, June 5, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Hudgins and Kernan.

Mr. Trippe presented a proposition for the Travellers' Insurance to insure the members of the Police Force, which was read and referred to the Joint Standing Committee on Police and Jail.

Mr. Smyrk presented a petition from J. W. Mohler and others to declare the bed of an alley running from Broadway to Ann street, and between Baltimore and Hampstead streets, a public highway, which was read and referred to the Joint Standing Committee on Highways.

Mr. Price presented a petition from Caroline F. Stauff, executrix of Henry Stauff, to be refunded taxes paid in error, which was read and referred to the Joint Standing Committee on Claims.

Mr. Sommerlock presented a remonstrance from Thos. D. Cassell and others, against the opening of Josephine street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Randall presented the following petition, which was read and ordered to be printed:

*To the Honorable the*

*Mayor and City Council of Baltimore, Md.*

The undersigned property holders, tax payers and residents of the City of Baltimore, in, upon, and near Scott street, Lemmon or Ridgely alley, and McHenry alley, respectfully ask the erection and placing of a gas lamp at and upon the northwest or southwest corner of Scott street and Lemmon alley, and one also at one of the four corners formed by the intersection of Lemmon alley and McHenry alley, that the same may hereafter be supplied with gas and used and lighted as are other lamps in this city.

They represent that there are at present no lamps of any kind upon either of the corners of either or any of said streets, and that they are much inconvenienced thereby.

They are advised that it is their right and privilege to have the same erected.

They therefore pray your honorable body to take the proper steps to have the same erected at once at the places named.

Andrew Eichner, George A. Rinse, J. T. Piquett, Leon Lauer, Wm. S. Smith, C. S. Cossins, Jacob King, Edward L. Palmer, M. A. Moffit, H. L. Spicer, M.D., Martha Meritt, George W. Egging, Patrick T. Tully, John Tully, John Dann, Andrew Smith, J. W. Allen, John Call, Wm. Bornmann.

Mr. Freeberger presented a petition from Wm. Gilmore for the alteration of the grade of gutters at the corner of Light and Fort streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bond presented the following communication from the Board of Managers of the House of Refuge, which was read and laid upon the table:

*To the the Presidents and Members of the  
First and Second Branches of the City Council:*

GENTLEMEN—The Board of Managers of the House of Refuge have been informed by the published proceedings of your honorable bodies, that the band of the Institution has been selected to give the usual summer concerts at the public parks. While the Board are flattered by the vote by which this selection was made, as well as gratified by this special recognition of the Institution itself, yet it is with extreme regret that the Board are obliged respectfully to decline the acceptance of the very kind and unsolicited favor.

The character of the Refuge is well understood. Its band is composed of inmates committed to our care for the term of their minority. When deemed ready to leave the Institution, they are then at our option discharged, and so it happens that at times new recruits must take the place of the drilled members of the band to whom may be awarded such discharge, and its efficiency is thus temporarily disabled. This is just its condition at present, and to more than the usual extent. The imperfect instrumentation of the new members renders the band, as a body, unable to do justice to themselves or to the Institution, much less to the truly complimentary preference which selected them for these stated public performances, which should be specially characterized by variety as well as by creditable proficiency.

For this sufficient reason, which you, gentlemen, can readily appreciate, while grateful for this new manifestation of your kindness to the Institution and its young inmates, as well as for the many acts of good will received at the hand of municipal authority, the Board at the same time are sorry to be under the necessity of now conveying to you their inability to accept the appointment so generously and spontaneously made in their behalf.

For the Board, very respectfully,

CHAS. M. KEYSER, President,

JOHN J. GRAVES, Secretary.

BALTIMORE, June 1st, 1871.



Mr. Crout presented a petition from Thomas Rutter to continue in use as stables, &c., temporary buildings erected by him on Division street, north of Wilson street, which were read and referred to the Joint Standing Committee on Highways.

The unfinished business being the ordinance supplementary to No. 70, in relation to the Citizens' Passenger Railway, the ordinance was taken up for consideration and read.

On motion of Mr. Price, the first section was reconsidered.

Mr. Price offered the following amendment, which was read :

To come in at the end of first section :

“ And that the requirements of the original ordinance in relation to the payment of the one-fifth of the passenger receipts to the Park fund shall be appreciable to the receipts on the routes named in this supplement.”

The amendment was declared adopted.

The question being on the passage of the ordinance, the title was approved and the ordinance declared passed.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the ordinance providing for relief of disabled police officers, the President announced the special order of the day, which was read.

Mr. Trippe moved to strike out the enacting clause of the ordinance.

The motion was declared lost.

The question recurring on the passage of the ordinance, the title was approved and the ordinance declared passed.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Water, to whom was referred the petition of John G. Dillehunt for permission to sink a well in the rear of his premises on the southwest corner of Baltimore and Caroline streets, respectfully report that they have duly considered the request and believe that the same should be granted. They therefore recommend the adoption of the following resolution.

G. MORRIS BOND,  
LEWIS EHLERS,  
JOHN M. BRUCE,

*First Branch.*

FREDERICK COOK,  
JOHN MILROY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore,  
That permission be, and the same is hereby, granted to John G. Dillehunt to sink a well in the rear of his premises on the southeast corner of Baltimore and Caroline streets, the work to be securely done under the supervision of the City Commissioner.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Fire Department, to whom was referred the communication of the Fire Inspector in relation to providing some means for the

regulation of smoke-stacks, &c., respectfully report the following ordinance, and ask its passage :

S. SANDS MILLS,  
JNO. W. TORSCH,  
J. C. RANDALL,

*First Branch.*

J. I. GROSS,  
FREDERICK COOK,

*Second Branch.*

An ordinance to regulate smoke-stacks, chimneys, &c.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Fire Inspector be, and he is hereby, authorized, whenever, in his judgment, or upon the complaint of a majority of the property holders living near any smoke-stack, chimney, flue, or stove-pipe, which endangers the surrounding property by fire, or annoys the residents in the neighborhood with smoke or cinders, the said Inspector shall cause the same to be altered or improved as he may think most suitable for the protection of the surrounding property.

SEC. 2. And be it further enacted and ordained, That any one refusing to comply with the notice of the Fire Inspector within ten days, shall be subject to a fine of twenty dollars, and ten dollars per day for every day thereafter until said order is complied with, the said fines to be collected as other fines are collected.

SEC. 3. And be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Berry, the ordinance was read a second time, by special order, the title approved, and the ordinance declared passed.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, introduced the following ordinance, which was read.

An ordinance making appropriations for the year 1871.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the following amounts be, and they are hereby, appropriated for the year 1871 :

#### DIRECT TAX.

##### *Existing Claims.*

One quarter's interest on five million loan .....	\$75,000 00	
Bills payable.....	10,600 00	
Temporary loans.....	250,000 00	
Balance to credit of Water Board...	82,459 50	
Due Sinking Fund (Dec., 1870, collections).....	14,573 56	
Due new City Hall.....	44,084 18	
	<hr/>	\$476,717 24

##### *Health Department.*

General Health.....	5,500 00	
B. C. Fertilizing Co.....	18,000 00	
Cleaning streets and garbage.....	130,000 00	
Nuisances and sewers.....	5,000 00	
Lime and incidentals.....	1,000 00	
Salaries .....	16,000 00	
Marine Hospital.....	9,000 00	
	<hr/>	184,500 00

##### *Fire Department.*

Appropriation for new house, 1871.	40,000 00	
Salaries .....	76,600 00	
Repairs of Houses .....	3,000 00	
Repairs of apparatus.....	2,500 00	
Advertising .....	50 00	
Accidents to men and horses.....	1,000 00	
Feed. ....	5,500 00	
Fuel.....	1,500 00	
Furniture .....	1,000 00	
Harness and repairs.....	750 00	
Horse shoeing.....	650 00	
Hose.....	5,000 00	

Amount carried forward.....

\$



Amount brought forward.....	\$	\$
Horses.....	2,000 00	
Ground rent.....	1,000 00	
Gas light.....	1,200 00	
Insurance.....	100 00	
Medicine.....	300 00	
Oil and grease.....	250 00	
Stationery and printing.....	500 00	
Office expenses.....	300 00	
Water rent.....	250 00	
Miscellaneous.....	1,000 00	
	<hr/>	144,450 00

*Old Masonic Building.*

Salaries—Janitor and Watchman...	1,800 00	
Brooms, buckets, &c .....	30 00	
Water rent.....	20 00	
Hauling away coal ashes.....	30 00	
Lime and whitewashing.....	25 00	
Ice for courts and office.....	140 00	
Fifty-five tons of coal.....	440 00	
Putting away coal.....	27 50	
Five cords kindling wood.....	62 50	
Cleaning court rooms.....	500 00	
Gas .....	75 00	
Glazing .....	25 00	
Repairs of building.....	25 00	
Repairs of stoves.....	50 00	
Incidentals .....	40 00	
Taking up and cleaning carpets.....	50 00	
	<hr/>	3,340 00

*Court House.*

Salaries of Superintendent and Watchman.....	1,800 00	
Cleaning court and jury rooms.....	732 00	
Hall and Record Building.....	120 00	
Repairs to Record Building.....	100 00	
Repairs to furniture.....	40 00	
Repairs to stoves.....	100 00	
Taking up and putting down carpets.....	60 00	
Whitewashing rooms.....	75 00	
	<hr/>	

Amount carried forward.....\$ \$

Amount brought forward .....	\$	\$
Buckets, brooms and brushes .....	30	00
Gas and repairs to fixtures.....	75	00
Water rent .....	24	00
Ice for court and jury rooms.....	355	00
Eighty tons of coal.....	640	00
Kindling wood .....	90	00
Putting away coal and wood.....	60	00

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4,301 00

*Port Warden's Department.*

Amount required to keep in service	
3 tugs and 7 dredging machines...	\$67,500 00
Dumping machine and Marine Rail- way.....	15,000 00
Crane and levelling sediment at Ma- rine Hospital.....	20,000 00
Salary of Port Warden and Clerk...	2,500 00
Completing Webster street dock.....	2,500 00
Contracts for machinery.....	11,750 00
Repair of shed and building office...	1,000 00
Purchase of mud machine.....	7,000 00
Sea wall at Marine Hospital.....	10,000 00
Repair of wharves.....	10,000 00
Building six scows.....	9,000 00
Repair of machinery, dredges, tugs, &c.....	10,000 00
Three months pay roll at City Yard, January, February and March....	9,000 00
Employees at City Yard, and ma- terial for balance of year.....	4,750 00

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180,000 00

*Telegraph Department.*

Salaries.....	6,200 00
Batteries .....	2,200 00
Repairing machinery and wires.....	1,500 00
Fuel, light and water.....	150 00
Printing and stationery.....	125 00
Incidentals .....	130 00
Cleaning office.....	72 00
Purchase of new instruments and switch boards.....	500 00

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10,877 00

Amount carried forward.....\$ \$

Amount brought forward .....\$ \$

*City Commissioner's Department.*

Shelling Ferry Bar road.....	\$103 30	
New Central Station.....	72 15	
North Avenue bridge.....	14,820 05	
Sewer, Barnes street.....	2,312 00	
Broadway squares.....	18,000 00	
Eutaw squares.....	12,940 00	
Damages on account of flood.....	108 42	
Abutments of Charles street bridge,	1,114 11	
Repairs at Bayview Asylum.....	2,678 70	
Eastern spring.....	150 00	
Perkins' do. ....	200 00	
Abutments, Decker street bridge...	12,500 00	
Cross street market hall.....	4,572 00	
Richmond do. do.....	71,882 27	
Lafayette Market.....	19,257 95	
Belair do. ....	6,247 15	
Lexington do. ....	18,718 62	
Gutters, Charles, Calvert, & Madi- son streets.....	2,000 00	
Culvert, Fulton avenue.....	2,000 00	
do. Pennsylvania avenue.....	2,000 00	
Sewer, foot of Scott street.....	12,000 00	
Repaved streets.....	3,000 00	
Paving and repairing Cross street,	10,000 00	
Repairs of paved streets.....	45,000 00	
“ “ unpaved streets.....	500 00	
“ “ bridges.....	5,000 00	
“ “ sewers and traps.....	4,000 00	
“ “ lamps.....	3,789 00	
Lamps and pillars.....	4,000 00	
Flag and step stones.....	6,000 00	
Paving city property.....	2,000 00	
Mount Vernon square.....	150 00	
Bridge at Decker street.....	25,000 00	
Incidentals .....	250 00	
Salaries.....	6,000 00	
	<hr/>	318,365 72
		<hr/>
		\$1,322,550 96
		<hr/>
Amount carried forward.....\$	\$	

Amount brought forward .....\$                   \$

*General Expenditures.*

Expenses of City Council.....	40,000 00	
Patapsco river.....	24,600 00	
Tonnage and wharfage.....	8,000 00	
Public printing and advertising ordi- nances.....	20,000 00	
Rent of Johnson building.....	6,500 00	
Oil and gas.....	150,000 00	
Lamplighters.....	30,000 00	
Salaries.....	40,000 00	
Magistrates' fees.....	4,000 00	
City property, insurance, &c.....	7,600 00	
General expense.....	9,000 00	
Hollin's hall.....	140 00	
Fuel, City Hall.....	500 00	
Mayoralty.....	2,000 00	
Commissioners for opening streets...	1,000 00	
Discount on taxes.....	60,000 00	
Killing dogs.....	2,000 00	
Parks and squares.....	1,000 00	
Salaries City Collector's office and Appeal Tax Court.....	35,000 00	
City election.....	3,000 00	
Ringling Mechanics' bell.....	100 00	
Old Defenders.....	100 00	
Wilkins' avenue.....	5,000 00	
General licenses.....	1,000 00	
Resolution to be passed.....	15,000 00	
Due Hollins street hall.....	446 00	
Water Board.....	10,000 00	
Fire plugs and pumps.....	6,000 00	
Old bills.....	1,200 00	
		483,186 00
Total .....	\$1,805,736 96	

*Certain Expenses.*

Superior Court.....	23,000 00
Court of Common Pleas.....	20,000 00

Amount carried forward.....\$                   \$



Amount brought forward .....	\$	\$
Orphans' Court .....	7,800 00	
Circuit Court.....	8,000 00	
Baltimore City Court .....	22,000 00	
Coroners.....	2,000 00	
Jail Visitors .....	47,000 00	
State elections.....	2,500 00	
Judgments and suits.....	7,500 00	
Removed cases .....	10,000 00	
Salaries of Judges of Supreme Bench.	2,500 00	
Registration. ....	20,000 00	
	<hr/>	172,300 00

*Criminal Court.*

Estimated expenditures for 1871.....	70,000 00
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*State Police.*

Salaries, &c., for 1871 .....	575,000 00	
Rent of building.....	2,000 00	
	<hr/>	577,000 00

*Public Schools.*

Salaries of Teachers, Janitors, &c...	340,000 00	
Repairs and cleaning.....	10,000 00	
Books and stationery.....	20,000 00	
Rents and ground rents.....	18,000 00	
Furniture .....	10,000 00	
Fuel.....	12,000 00	
Incidentals .....	5,000 00	
Colored schools .....	30,000 00	
Under supervision of City Commissioner.		
Due Eastern Female High School...	500 00	
Due for erecting Pub. Sch. No. 12..	4,820 50	
“ “ “ “ No. 17..	16,750 00	
Repairs of public schools.....	15,000 00	
	<hr/>	482,070 50

*Internal Improvements.*

One year's interest on \$4,113,250 30 of 6% stock, and \$850,000 of 5% stock.....	289,292 32
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Amount carried forward.....	\$	\$
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Amount brought forward.....	\$	\$
Interest on \$1,000,000 loan to Pittsburg and Connellsville R. R. Co..	60,000 00	
Interest on \$5,000,000 loan to Baltimore and Ohio R. R. Co.....	300,000 00	
Interest on Western Maryland R. R. stock, \$200,000.....	12,000 00	
	<hr/>	661,292 32

*City's proportion of Assessments for Opening Streets.*

Park street.....	113,479 87	
Calhoun street.....	572 41	
Mosher street.....	3,800 00	
	<hr/>	117,852 28

*Interest on Miscellaneous Stock.*

One year's interest on floating debt old stock, \$225,000.....	14,500 00	
One year's interest on floating debt, \$2,000,000 .....	120,000 00	
One year's interest on Park impt. stock, \$185,723 80.....	11,142 43	
One year's interest on 5% Court house stock, \$137,414 84.....	7,944 89	
One year's interest on Almshouse stock .....	27,000 00	
One year's interest on City Hall stock, \$1,000,000.....	60,000 00	
One year's interest on funded debt, \$700,000 .....	42,000 00	
One year's interest on Pat. Park stock, \$555,566 25.....	33,339 75	
One year's interest on water stock, \$5,000,000.....	300,000 00	
One year's interest on bounty loan, \$2,621,421 92 .....	157,285 31	
	<hr/>	773,212 38

*Highways and Bridges.*

Estimated expenditures.....	13,000 00
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*City Poor.*

Trustees of Bayview Asylum.....	60,000 00
Transportation of paupers... ..	2,000 00

Amount carried forward.....	\$	\$
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Amount brought forward.....	\$	\$
General Dispensary.....	750	00
Eastern Dispensary.....	750	00
Southern Dispensary.....	750	00
Northeastern Dispensary.....	750	00
Indigent sick at Universities.....	10,000	00
House of Refuge (\$10,000 for building,)..	30,000	00
Widows and orphans of war of 1812,	600	00
Insurance at Bayview.....	900	00
Poor Improvement Association.....	4,000	00
Special Dispensary.....	750	00
Hibernian School, (refunded,).....	236	00
Manual Labor School.....	2,500	00
Boys' Home.....	2,000	00
Children's Aid Society.....	1,000	00
Home of the Friendless.....	2,000	00
Aged Men's Home.....	500	00
Aged Women's Home.....	500	00
Union Protestant Infirmary.....	500	00
St. Vincent's Infant Asylum.....	1,000	00
St. Joseph's Industrial School.....	500	00
St. Mary's do. do. ....	5,000	00
Md. Institute School of Design.....	5,000	00
Deaf and Dumb.....	1,000	00
Female Christian Home.....	2,000	00
Eye and Ear Infirmary.....	1,000	00
Orthopæ Free Dispensary.....	500	00
Baltimore Eye Infirmary and Dispensary at Maryland University,	1,000	00
Washington University.....	500	00
Inebriate Asylum.....	1,000	00
Union Orphan Asylum.....	500	00

*Sundry Resolutions and Ordinances.*

Res. No. 88, April 14, 1871, Fire Alarm Telegraph.....	700	00
Ord. No. —, April 24, 1871, Old Defenders.....	300	00
Res. No. 114, May 2, 1871, W. H. Taylor .....	1,500	00

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Amount carried forward.....\$ \$

Amount brought forward.....	\$	\$
Ord. No. 67, May 5, 1871, City Surveyor .....	3,205	00
Res. No. 111, May 11, 1871, B. Comber and H. Connor.....	20	00
Res. No. 122, May 11, 1871, Calvert .....	1,000	00
Res. No. 121, May 11, 1871, Broadway market.....	100	00
Res. No. 116, May 11, 1871, Harford run.....	17,000	00
Res. No. 118, May 2, 1871, Winans' Chapel.....	3,000	00
Ord. No. 79, May 19, 1871, Lafayette Square .....	600	00
Res. No. 132, May 19, 1871, Fire Alarm Telegraph .....	700	00
Res. No. 161, May 29, 1871, Winans' Chapel .....	4,800	00
Res. No. 156, May 26, 1871, Eastern Spring.....	300	00
Res. No. 155, May 26, 1871, City Court .....	150	00
Res. No. 149, May 26, 1871, Fire Alarm Telegraph.....	350	00
Commissioners of ice boat.....	1,136	00
		<hr/>
		\$34,861 00

On motion of Mr. Trippe, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the old pump-stock on the corner of Sharp and Conway streets removed, and the well properly secured.

On motion of Mr. Ehlers, the resolution was read a second time by special order and adopted.



Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Health, to whom was referred the petition of G. W. Dickerson asking the attention of this Council to the condition of Dickerson's alley, beg leave to report that they have examined the locality in question, and are of the opinion that it demands the immediate attention of the Health Commissioner. They would therefore ask the adoption of the following resolution:

G. MORRIS BOND,

*First Branch.*

A. W. DUKE,

J. I. GROSS,

JESSE R. OGLE,

*Second Branch.*

Resolved by First Branch of the City Council of Baltimore, That the Commissioner of Health be, and he is hereby, instructed to visit the locality known as Dickerson's alley, and devise such means as may be necessary to abate the nuisance caused by the filthy condition of that neighborhood.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Mills called up the resolution appropriating \$5,000 for Harlem Square, which was read.

On motion of Mr. Mills, the resolution was read a second time, by special order.

Mr. Johnson offered the following amendment, which was read:

Add after the word "Commissioners," "and City Commissioner jointly."

The amendment was declared adopted.

The question recurring on the passage of the resolution, it was declared adopted.

Mr. Torsch called up the resolution and its amendment allowing Cary & Co. to construct a switch on Cathedral street (see page 820 First Branch Journal), which was read.

Mr. Price moved to lay the resolution and amendment on the table.

The motion was declared lost.

The question being on the adoption of the amendment, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Bond, Price, Berry, and Crout—5.

*Nays*—Messrs. Weitzell, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Sommerlock, Randall, Freeberger, Ehlers, and Johnson—12.

The amendment was declared lost.

On a motion of Mr. Price to recommit the resolution to the Joint Standing Committee on Highways, the yeas and nays were demanded by Mr. Price, resulting as follows:

*Yeas*—Messrs. President, Bond, Price, Berry, and Crout—5.

*Nays*—Messrs. Weitzell, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Sommerlock, Randall, Freeberger, Ehlers, and Johnson—12.

The Branch refused to recommit.

On a motion by Mr. Bond to lay the resolution on the

table, and make it the order of the day for to-morrow (Tuesday) afternoon at 5½ o'clock, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Nays*—Messrs. President, Bond, Price, Berry, Johnson, and Crout—6.

*Nays*—Messrs. Weitzell, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Sommerlock, Randall, Freeberger, and Ehlers,—11.

The motion was declared lost.

On a motion of Mr. Johnson to adjourn, the yeas and nays were demanded by Mr. Johnson, results as follows :

*Yeas*—Messrs. President, Bruce, Bond, Price, Randall, Berry, Johnson, and Crout—8.

*Nays*—Messrs. Weitzell, Trippe, Smyrk, Mills, Ward, Torsch, Sommerlock, Freeberger, and Ehlers—9.

The motion was declared lost.

Mr. Price moved to strike out all after the enacting clause, upon which Mr. Bond moved to lay that motion on the table, whereon the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Bond, Price, Berry, Johnson, and Crout—6.

*Nays*—Messrs. Weitzell, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Sommerlock, Randall, Freeberger, and Ehlers—11.

The Branch refused to lay the motion on the table.

The question recurring on the motion of Mr. Price, viz : to strike out all after the enacting clause, pending the motion, on motion of Mr. Johnson to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Bond, Price, Randall, Berry, Johnson, and Crout—8.

*Nays*—Messrs. Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Sommerlock, Freeberger, and Ehlers—9.

The Branch refused to adjourn.

Mr. Bond demanded the previous question. The question being, shall the main question be now put, it was declared in the negative, and the Chair declared the resolution laid upon the table.

On a motion of Mr. Johnson to adjourn, the yeas and nays were demanded by Bond, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Bond, Price, Randall, Berry, Johnson, and Crout—8.

*Nays*—Messrs. Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Sommerlock, Freeberger, and Ehlers—9.

The Branch refused to adjourn.

Mr. Bond called up an ordinance entitled “an ordinance to repeal section 166 of Article 33 of the Baltimore City Code, entitled ‘Streets and City Commissioner’, and to re-enact the same with amendments”.

Mr. Bond offered the following as a substitute for the ordinance, which was read:

An ordinance entitled “An ordinance to repeal section 166 of Article 43 of the Baltimore City Code, entitled ‘Streets and City Commissioner,’ and to re-enact the same with amendments.”

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That section 166 of Article 43 of the Baltimore City Code be, and the same is hereby, repealed, and the following enacted in lieu thereof: “It shall



not be lawful for any person or persons to drive any cattle, sheep or hogs eastwardly or westwardly along Lexington or Fayette, Hollins or Lombard streets, between Republican and Fulton streets, under a penalty of twenty dollars for each and every offense, to be recovered as other fines are recoverable."

SEC. 2. Be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On a motion from Mr. Randall to indefinitely postpone the whole subject, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. Sommerlock, Randall, Freeberger, Ehlers, and Crout—5.

*Nays*—Messrs. President, Weitzell, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Price, Berry, and Johnson—12.

The Branch refused to postpone.

On motion of Mr. Price, the ordinance was laid on the table and made the special order of the day for to-morrow (Tuesday) afternoon, at 5½ o'clock

On motion of Mr. Ehlers, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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Tuesday, June 6, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Ward.

Mr. Bond presented a remonstrance from Elizabeth Kirk

against permission being granted to Thomas Rutter to continue to use certain frame buildings on Division street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Price presented a memorial from James M. Lester and others against permission being granted to Cary & Co. to construct a switch on Cathedral street, which was read and laid on the table.

Mr. Freeberger presented a petition from Lewis Jones & Son in reference to damage done their house by reason of alleged bad condition of the streets at the corner of Howard and Lee streets, which was read and referred to the Joint Standing Committee on Claims.

Mr. Johnson presented a petition from Samuel Wilhelm and others, asking the passage of a resolution instructing the City Commissioner to pay out of the City Treasury the cost for paving and grading the beds of Monroe, Payson, Pulaski and Smallwood streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Crout presented a communication from John P. Poe and others, Committee of Conference of the Board of School Commissioners, asking for an appropriation of \$15,000 for the erection of a building for Male and Female Primary School on the corner of Green and King streets; also for other appropriations, which was read and referred to the Joint Standing Committee on Education.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the special order of the day, being the substitute for an ordinance in reference to cattle, &c., passing through the streets of the city, the President accordingly announced the order of the day, which was read. (See folio 847, First Branch Journal.)

The question being, "Shall the substitute take the place of the original ordinance?" it was declared in the negative.

The question recurring on the original ordinance, Mr. Torsch offered the following amendment, which was read:

Strike out the words, "between Republican and Fulton streets."

Mr. Berry offered the following amendment to the amendment, which was read :

Amend by adding, "Franklin, Mulberry, Saratoga, German, Pratt, Camden, Conway, Barre, Lee, Hill, Henrietta, Hamburg, Cross, West, Stockholm, and Ostend streets."

The question being on the amendment to the amendment, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. Sommerlock, Randall, Berry, Freeberger, Ehlers, and Crout—6.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Torsch, Bond, Price, and Johnson—12.

The amendment to the amendment was declared lost.

Mr. Trippe offered the following amendment to the amendment, which was read :

Strike out all after the word, "hogs," to the word "under," and add in lieu thereof, "through any of the streets of the city, except between the hours of 12 midnight and 4 A. M., from the first day of April until the first day of November, and between the hours of 11 P. M. and 6 A. M. from the first day of November until the first day of April."

The question being on the amendment to the amendment, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Bond, Price, Sommerlock, Johnson, and Crout—11.

*Nays*—Messrs. Mills, Kernan, Torsch, Randall, Berry, Freeberger, and Ehlers—7.

The amendment to the amendment was declared adopted.

The question recurring on the adoption of the amendment as amended, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Torsch, Bond, Price, Sommerlock, and Johnson—11.

*Nays*—Messrs. Mills, Kernan, Randall, Berry, Freeberger, Ehlers, and Crout—7.

The amendment as amended was declared adopted.

Mr. Trippe offered the following amendment, to be known as section 2 of the bill :

“SEC. 2. Be it further enacted and ordained, That all ordinances and parts of ordinances inconsistent with this ordinance be, and the same are hereby, repealed.”

The question being on the amendment of Mr. Trippe, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Torsch, Bond, Price, Sommerlock, Berry, Johnson, and Crout—15.

*Nays*—Messrs. Randall, Freeberger, and Ehlers—3.

The amendment was declared the second section of the ordinance.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Torsch, Bond, Price, Berry, and Johnson—12.

*Nays*—Messrs. Kernan, Sommerlock, Randall, Freeberger, Ehlers, and Crout—6.



The ordinance was declared passed and the title approved.

Mr. Trippe, from the committee on conference on the disagreeing votes of the two Branches on the matter of the improvement of Jones' Falls, submitted the following report and accompanying ordinance, which were read :

The joint special committee of conference, to whom was referred the matter of the disagreeing votes of the two Branches on the Jones' Falls ordinance, respectfully report that they have given the subject full consideration, and anxious to carry out the views of the bulk of the taxpayers and citizens in the prosecution of a great improvement, with a view to accomplish it successfully and at the least possible expense, and without questioning the competency of any gentlemen heretofore named for the position, nevertheless believe it would be best to name on the Commission those about whom there has been no controversy, submit the following ordinance and ask its adoption:

A. C. TRIPPE,  
BENJAMIN PRICE,  
JACOB H. FREEBERGER,  
*First Branch.*

C. G. KERR,  
J. I. GROSS,  
*Second Branch.*

An ordinance to make further provision for the improvement of Jones' Falls, and authorizing the examination of additional plans.

Whereas, the improvement of Jones' Falls under any plan that will accomplish the object of preventing the disastrous overflow of that stream in the city of Baltimore involves an expenditure of a very large amount of money by the corporation; and whereas, it is just and proper that the execution of such a work of public improvement at the expense of the tax-payers should meet with general approval; and whereas, it is universally believed that a large majority

of the citizens of Baltimore are at present opposed to the further prosecution of said work, under existing ordinances, without further investigation.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That Frank Frick, Henry M. Warfield, Jas. G. Ramsey, Wm. A. Dean, H. Clay Dallam, P. P. Pendleton, Francis B. Loney, and Dr. Geo. N. Benson be, and they are hereby, constituted and appointed a commission, to be styled "The Commissioners for the examination of plans for the Jones' Falls Improvement."

SEC. 2. Be it further enacted and ordained, That the said Commissioners shall fully examine all reasonable plans for the improvement of Jones' Falls, and for the relief of the citizens of Baltimore from the dangers and damage incident to its overflow, and shall report to the Council, as the result of such examination, the plan for said improvement which shall seem to said Commissioners to be, under all circumstances, the best and most expedient. The said report shall be made at the earliest possible moment, and on or before the meeting of the Council in September; and if during the recess of the Council the Commissioners shall be prepared to report, the Mayor be requested to convene the Council in extra session to receive the result of such examination.

SEC. 3. Be it further enacted and ordained, that the said Commissioners are hereby authorized and required to obtain the advice and services of one or more experienced and competent engineers to make professional surveys and examinations for them, and to consult with them on all matters relating to the subject of this ordinance; and the said Commissioners are authorized to pay to said engineer and his assistants as compensation for his or their services a gross sum not exceeding five thousand dollars, which sum, or any portion thereof, the City Register is hereby required to pay on the draft or warrant of a majority of said Commissioners.

SEC. 4. Be it further enacted and ordained, That the number of said Commissioners shall not be less than five; and if at any time, by death, or resignation, or removal out of

Baltimore city or otherwise, the said number shall be reduced to less than five, the remaining Commissioners shall immediately fill the place or places so vacated in their Board, and report the same to the City Council at its next meeting thereafter, subject to its confirmation in convention.

SEC. 5. Be it further enacted and ordained, That all ordinances, or parts of ordinances, inconsistent with the provisions of this ordinance be, and the same are hereby, repealed.

SEC. 6. Be it further enacted and ordained, That this ordinance shall take effect from and after the date of its passage.

On motion of Mr. Trippe, the ordinance was read a second time, by special order.

The question being on the passage of the ordinance, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, and Crout—18.

*Nays*—None.

The ordinance was declared passed and the title approved.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the First Branch of the City Council of Baltimore, That the Committee on Health be, and they are hereby, instructed to ascertain why it is that Harford run, south of Eastern avenue, has not been cleaned ; as has been observed, there has been appropriated for the Health Department the sum of \$130,000, and yet with this appropriation this great necessity is not attended to.

On motion of Mr. Weitzell, the resolution was referred to the Joint Standing Committee on Health.

Mr. Hudgins offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized to have removed an old pump-stock at or in front of premises No. 101 South Ann street, owned by James S. Morrow, and to have well properly secured, the expenses of the same to be taken out of the levy of 1871 for pumps.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

Mr. Hudgins introduced the following ordinance, which was read :

An ordinance to provide for a Watchman at the Eastern City Spring.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor be authorized and directed to appoint, on the approval of this ordinance, to serve until the first day of December next, subject to confirmation by the two Branches of the City Council, a watchman for the Eastern City Spring, and annually thereafter, whose duties shall commence on the first of March and continue until the first day of December, and who shall be on duty as watchman of said Spring during that period, from 6 o'clock, P. M., to 12 o'clock, M., on every day of the week, and on Sundays from 3 o'clock, P. M., to 12 o'clock, M. The said watchman shall be paid one dollar and fifty cents per day, and an additional fifty cents for each Sunday so on duty, to be paid as the salary of other like city officers.

SEC. 2. Be it further enacted and ordained, That this ordinance shall take effect from and after the date of its passage, and that all ordinances, or parts of ordinances, inconsistent herewith, are hereby repealed.



On motion of Mr. Weitzell, the ordinance was read a second time by special order, title approved and the ordinance declared passed.

Mr. Trippe offered the following resolution, which was read and adopted :

Whereas, the State authorities have disposed of the States' interest in the stock of the Baltimore and Ohio Railroad, and efforts are being made to purchase the city's interest in the same company, at a time when no necessity exists for such sale, and city stocks are above par, and its finances in a most healthful condition ; therefore,

Resolved, by both Branches of the City Council, That the Commissioners of Finance be respectfully requested to make no sale of the city's interest in the Baltimore and Ohio Railroad Company until they have communicated their reasons for said sale to the Council, and received its approval of the same.

Mr. Torsch introduced an ordinance entitled, " An ordinance to lease the Canton market," which was read and referred to the Joint Standing Committee on Markets.

Mr. Randall offered the following resolution, which was read and adopted :

Resolved, by the First Branch of the City Council of Baltimore, That Master Joseph E. Hogan, the page of this Branch, be allowed his per diem of one dollar during the recesses of the Council.

Mr. Mills introduced an ordinance entitled, " An ordinance to increase the compensation of the superintendent, operators and lineman of the Police and Fire Alarm Telegraph," which was read and laid on the table.

Mr. Ehlers offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have a fire plug erected on the corner of Light and Randle streets, and the expense of the same to be taken out of the appropriation of 1871.

On motion of Mr. Ehlers, the resolution was read a second time, by special order.

Mr. Johnson offered the following amendment, which was read :

“ And at the corner of Hanover and West streets.”

The amendment was declared adopted.

Mr. Price offered the following amendment, which was read :

“ And further, That the Fire Commissioner be instructed to place a fire box at the corner of Charles street and Boundary avenue, the expenses of the same to be taken out of the annual levy for 1871.”

The amendment was withdrawn.

Mr. Johnson introduced an ordinance entitled, “ An ordinance authorizing the Mayor to accept a deed of the bed of Parrish street,” which was read.

On motion of Mr. Johnson, the ordinance was read a second time, by special order, and referred to the Joint Standing Committee on Highways.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to pay for the grading and paving of the beds of Monroe, Payson, Pulaski and Smallwood streets, at

their intersection with Hollins street ; provided, it does not exceed the sum of sixteen hundred dollars, to be taken out of any money in the City Treasury, not otherwise appropriated.

On motion of Mr. Johnson, the resolution was referred to the Joint Standing Committee on Highways.

Mr. Johnson called up the resolution allowing Cary & Co. to construct a switch on Cathedral street, which was read.

On a motion of Mr. Price to recommit the report and resolution, together with the remonstrance against said permission being granted (presented this evening), the yeas and nays were demanded by Mr. Smyrk, resulting as follows :

*Yeas*—Messrs. President, Bond, Price, Randall, Berry, and Crout—6.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Torsch, Sommerlock, Freeberger, Ehlers, and Johnson—10.

The motion to recommit was declared lost.

The question recurring on the adoption of the resolution, the yeas and nays were demanded by Mr. Price, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Torsch, Bond, Sommerlock, Freeberger, Ehlers, and Johnson—11.

*Nays*—Messrs. President, Price, Randall, Berry, and Crout—5.

The resolution was declared adopted.

On motion of Mr. Johnson, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

Wednesday, June 7, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Hudgins.

Mr. Weitzell presented a remonstrance from Jacob Poplar, against the passage of the ordinance to prevent cattle &c., from passing through the streets of the city, which was read.

On motion of Mr. Weitzell, the vote by which the ordinance to prevent cattle, &c., from passing through the city, was reconsidered; and, on motion of Mr. Weitzell, the ordinance and the above petition were referred to the Joint Standing Committee on Highways.

Mr. Ehlers presented a petition from John Moore, and others, against an alleged nuisance, which was read and referred to the Joint Standing Committee on Fire Department.

The President presented a petition from David Rouke to erect a frame kitchen in the rear of his premises on Wolf street, near Orleans, which was read and referred to the Joint Standing Committee on Fire Department.

Mr. Randall offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have flag-stones laid across Pratt street at the intersection of Penn and Pratt streets, said stones to be four feet in width, and the expenses of the same to be paid out of any money in the treasury not otherwise appropriated.



On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

The Second Branch returned the following resolutions severally endorsed "adopted:"

Resolution for the repair of pump on the corner of Peach alley and Henrietta street.

Resolution to lay flagging stones on Park avenue.

Resolution to repair a pump at the southeast corner of South Paca and Carey streets.

Resolution to lay flag-stones across Mosher street at the corner of Linden avenue.

Resolution for crossings on Camel alley.

Resolution for gas mains on South Ann street, south of Thames street.

Resolution for the improvement of Mount Vernon square.

Resolution in favor of John G. Dillehunt.

Resolution to remove old pump-stock on the corner of Sharp and Conway streets.

Resolution for abatement of nuisance on Dickerson's alley.

Resolution to remove old pump-stock corner of Gay and Aisquith streets.

Resolution to remove old pump-stock on Exeter street, near Hillen.

Resolution to remove an old pump-stock on the southeast corner of Eager street and Central Avenue.

Resolution for a new pump-stock corner of Orleans and Forrest streets.

Resolution to repair pump at the northeast corner of Saratoga and Fremont streets.

Resolution for indexing judgment dockets in the Superior Court.

Resolution to lay gas mains on Madison street, between Bond street and Broadway.

Resolution to lay gas mains on Walker street, between Columbia and Cross streets.

Resolution to lay gas mains on Warner, Hamburg and Fremont streets.

Resolution to lay gas mains on Abraham street, from Harford avenue to Jew alley.

Resolution to repair pump at the northwest corner of Caroline street and Canton avenue.

Resolution for grading, &c., of Mill street.

Resolution to pay the widow of the late police officer Joseph C. Clark one thousand dollars.

Resolution in favor of Norris & Baldwin.

Resolution in favor of Mary C. Robey.

Resolution adverse to a sewer at the corner of Baker street and Fulton avenue.

Resolution to grade and pave North Boundary avenue.

Resolution granting permission to Adam Schaeffer and others to construct a sewer.

Resolution in favor of the widowed mother of the late officer James Murphy.

Resolution to lay flagstones on Chase and Bond streets.

Resolution to have Hollins market-house repaired and whitewashed.

Resolution for improvement of Union Square.

Resolution permitting H. Kamp to sink a well and erect a pump.

Resolution to erect a fire alarm telegraph box on the corner of Fayette and Bond streets.

Resolution for music at the Parks.

Resolution in favor of F. Livingston.

Resolution to remove an old pump-stock at the corner of Calvert street and Bank lane.

Resolution adverse to the claim of John Burns.

Resolution requesting the Commissioner of Health to attend to the sanitary condition of Johnson street.

Resolution in favor of John S. & R. S. Carswell.

Resolution adverse to the petition of Lambert Gittings.

Resolution to lay gas-mains on Vine street, between Pine and Poppleton streets.

Resolution to purchase Winan's chapel.

Resolution extending the hospitalities of the city to the Ancient Free and Accepted Masons.

Resolution to lay gas-mains on Garden street.

Resolution for flagging at the corner of Eutaw and Bid-  
dle streets.

Resolution to remove an old pump-stock corner of Penn-  
sylvania avenue and Lanvale street.

Resolution adverse to the claims of J. H. Weaver and J. Dobbin.

Resolution to celebrate the 4th of July.

The Second Branch returned resolution in relation to removal of a pump from the southeast corner of Hillen and Charles streets, endorsed "rejected."

The Second Branch returned the following ordinances severally endorsed "passed:"

An ordinance to declare the bed of Madeira alley, between Pratt and Lombard streets, a public highway.

An ordinance to construct a sewer from the intersection of Oliver and Decker streets to Jones' Falls.

An ordinance to condemn and open Eager street, from Gay to Bond streets.

An ordinance to repeal so much of an ordinance entitled, "an ordinance to condemn and close the Liberty road from Gilmore street to Fulton street, and to condemn and open in lieu thereof a street of the width of sixty feet, &c."

An ordinance to allow the Baltimore and Potomac Railroad Company to lay a temporary railroad track from the Northern Central Railway at its crossing of North Boundary avenue to the intersection of Oliver or McMechen street with the said North Boundary avenue.

An ordinance to condemn and widen Eutaw street between Laurens street and North avenue to a width of eighty-six feet.

An ordinance for the condemnation of Morris alley, as laid down on Poppleton's Plat, through the grounds formerly owned by Mrs. Jane Clendinen.

An ordinance to condemn and open Mount street from the south side of Fayette street to the north side of Baltimore street.



An ordinance to declare the bed of Stoddart alley from the north side of Townsend street to the north side of Mosher street a public highway.

An ordinance authorizing the Mayor to accept from William Wilkens the fee-simple title to certain streets.

An ordinance to repeal section 1 of ordinance No. 94, approved October 25, 1870, and re-enact the same.

An ordinance to regulate smokestacks, chimneys, &c.

An ordinance to condemn and open Presstman street, from Gilmor street to Monroe street.

An ordinance making appropriations for the year 1871.

The Second Branch returned the resolution in favor of the late I. Harry Weaver, with the following amendment, which was read :

Insert after the word "salary" the word "due."

On motion of Mr. Trippe, the Branch concurred in the amendment.

The Second Branch returned the ordinance providing for the increase of salary of the City Register, with the following amendments, which were read :

Add at end of 1st section: "and that of the Deputy Register shall be \$1,800 per annum;" amend the title by inserting after the word "Register" the words "and Deputy Register."

On motion of Mr. Price, the amendment which referred to the salary of the Deputy Register, was referred to the committee of conference, and prepared a message to the Second Branch to that purpose.

The message was ordered to be sent, and the Chair named as the committee on the part of this Branch, Messrs. Price, Ehlers, and Johnson.

The Second Branch returned the resolution permitting Wardell Bollman to erect a frame bath-house, with the following amendment, which was read :

Add at the end of resolution, "provided the said work be done subject to the approval of the City Commissioner."

On motion of Mr. Berry, the Branch concurred in the amendment.

The Second Branch returned the resolution in favor of Franklin square, with the following amendment, which was read :

Strike out "City Commissioner," and insert "Commissioners for Franklin Square."

On motion of Mr Sommerlock, the Branch concurred in the amendment.

The Second Branch returned the ordinance providing for the appointment of an Inspector of Buildings, with the following amendment, which was read :

Strike out in 4th and 5th lines the words "carpenter and draughtsman," and insert the following : "and experienced builder and mechanic."

On motion of Mr. Ward, the Branch concurred.

A report of the Joint Standing Committee on Claims, with the accompanying resolution, were received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is, authorized and directed to pay to Charles Dunn out of any money in his hands, not otherwise appropriated, the sum of four thousand dollars ; provided, said Dunn shall deliver to said Register, a full release and discharge to the city of, and from all damages of any kind or description, arising from, or that may arise

from, the losses or damage, which the said Dunn has sustained, by reason of the action of the city in relation to the contract or contracts, for the building of the Richmond market-house.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, authorized and directed to have gas mains laid down on Wilkins' avenue, at its intersection with Monroe street, and also on the following named streets, viz: Ramsey, McHenry, Eagle, Monroe, Payson, Smallwood, and Bantaloë streets.

On motion of Mr. Sommerlock, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Whereas the neighbors of Thomas Winans, Esq., and the citizens of the western section of the city, have petitioned him to remove the wall enclosing his beautiful grounds and to replace it with iron railing; therefore,

Resolved by the Mayor and City Council of Baltimore, That Thomas Winans, Esq., be, and he is hereby, requested, if agreeable to him, to remove the brick wall now enclosing his grounds on Hollins street, and to replace the iron railing as it was formerly, believing it will not only be a benefit to the neighborhood, but to the citizens generally.

Resolved, That a copy of these resolutions, properly signed, be transmitted to Thomas Winans, Esq.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read:

Whereas, travel has very largely increased on the Franklin Square or Red Line City Passenger Cars; and whereas, it is dangerous and uncomfortable to crowd so many persons in one car and on the platforms; therefore,

Resolved, by the Mayor and City Council of Baltimore, That the President and Directors of the City Passenger Railroad Company be, and they are hereby, requested to place more cars on the Franklin Square or Red Line route, so that they may be but three minutes apart instead of six minutes, and that no more passengers than can be seated shall be carried on any of their cars, or any of their lines, and that it shall be the imperative duty of the conductors and drivers to stop the cars to take on or let off passengers in all cases.

On motion of Mr. Sommerlock, the resolution was read a second time by special order.

On a motion by Mr. Mills to lay on the table, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows:

*Yeas*—Messrs. Mills, Ward, Randall, Berry, and Johnson—5

*Nays*—Messrs. President, Weitzell, Trippe, Bruce, Kernan, Torsch, Bond, Sommerlock, Freeberger, and Ehlers—10

The Branch refused to lay upon the table.

Mr. Johnson offered the following amendment, which was read and adopted:

And that they be further requested to reduce the hours of employment of the drivers and conductors.

On motion of Mr. Crout, the matter was referred to the Joint Standing Committee on City Passenger Railway.

An ordinance supplementary to ordinance entitled “an



ordinance to provide for the building of a new City Hall," was received from the Second Branch and read, and on motion, was declared laid on the table.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have all old pump-stocks removed, the work to be done in accordance with ordinances providing for the removal of pumps.

The resolution was laid upon the table.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be authorized and directed to have gas mains laid on Carey street between Franklin and Saratoga streets.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, directed to have a gas main laid on Harford avenue from its present terminus to the city limits.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That resolution No. 187, approved October 5, 1864, being a

resolution in favor of James Nolan be, and the same is hereby, repealed.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on City Property, with the following resolution, was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That the sum of one thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the purpose of lettering all city lamps (not now lettered) on the corners of all streets, lanes, and alleys, in the city of Baltimore, upon the plan known as Markland's patent, and that the material to be furnished and the work to be done by Baltimore mechanics, under the supervision of the City Comptroller.

On motion of Mr. Randall, the matter was recommitted to the Joint Standing Committee on City Property.

A report from the Joint Standing Committee on Markets, with the following resolution, was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That the additional sum of one hundred dollars, or so much as may be necessary to complete the repairs on Broadway Market be, and is hereby, appropriated out of any money in the City Treasury not otherwise appropriated, said work to be done under the supervision of the City Commissioner.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore,

That the City Commissioner be, and he is hereby, directed to have the pavement at the north end of Belair market on south side of Gay street repaved, and the sum of one hundred dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be taken out of the levy for 1871.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following ordinance was received from the Second Branch and read :

An ordinance to condemn and open a public square.

Whereas, the proper notice of an application to the Mayor and City Council for the condemnation hereinafter authorized, has been published as required by law.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets in the City of Baltimore, be, and they are hereby, authorized and required to condemn and open a public square, bounded on the north by the southern line of Lanvale street, as laid down on Poppleton's Plat, on the south by the northern line of the property owned by the Northern Central Railway Company, on the north side of Jones' Falls, and on the east by the west side of North street, as laid down on Poppleton's Plat, and on the west by the east side of Charles street.

SEC 2. And be it enacted and ordained, That the Commissioners for Opening Streets shall proceed, in all respects in the condemnation and opening of the public square described in the preceding section, in accordance with the provisions of Article 43, of Baltimore City Code, title "Streets and City Commissioner," sub-title "Commissioners for Opening Streets."

SEC. 3. And be it enacted and ordained, That the said Mayor and City Council of Baltimore shall not be required to pay any part of the damages and expenses growing out of, or incident to the condemnation and opening of said square.

SEC. 4. And be it enacted and ordained, That this ordinance shall take effect from and after the date of its passage.

The ordinance was declared laid on the table.

An ordinance supplementary to the gas ordinance was received from the Second Branch and read, and was declared laid on the table.

An ordinance in relation to the Johns Hopkins property was received from the Second Branch and read.

The ordinance was declared laid upon the table.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Thomas Rutter, for permission to retain the frame buildings recently erected on Division street, near Wilson street, respectfully report :

That the committee have visited the premises in question, and find that no objection to the retention of said buildings has been made, except by one property holder, who owns two houses on said street, and the tenant of one of these houses ; and that one next adjoining the said frame buildings, signs a petition, which has been presented to the committee, asking that said building may remain. The committee further state, that a number of the property holders, and those living in houses near the said frame buildings, have signed a petition requesting that said buildings may be allowed to remain. The committee further state that there are but few houses near said frame buildings, and the committee see no reason why the permission asked for should not be granted.

All of which is respectfully submitted,

S. SANDS MILLS,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*



Resolved by the Mayor and City Council of Baltimore, That Thomas Rutter be, and he is hereby, allowed to retain the frame stables, and other buildings, now erected on the lot on Division street, near Wilson street, in the rear of Jewell's tannery, until such time as he shall be required to remove the same by resolution of the Mayor and City Council of Baltimore.

On motion of Mr. Ehlers, the resolution was read a second time, by special order.

Mr. Trippe moved the ordinance be laid upon the table, and made the special order of the day for to-morrow afternoon, at 5½ o'clock, on which Mr. Crout moved to amend by naming "Monday," instead of "to-morrow."

The question being on the amendment, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. Ward, Bond, Price, Randall, Freeberger, Johnson, and Crout—7.

*Nays*—Messrs. President, Weitzell, Trippe, Bruce, Smyrk, Mills, Kernan, Torsch, Sommerlock, Berry, and Ehlers—11.

The amendment was declared lost.

On a motion by Mr. Johnson to insert Friday instead of to-morrow afternoon, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. Ward, Bond, Price, Randall, Freeberger, Johnson, and Crout—7.

*Nays*—Messrs. President, Weitzell, Trippe, Bruce, Smyrk, Mills, Kernan, Torsch, Sommerlock, Berry, and Ehlers—11.

The amendment was declared lost.

The question recurring on the motion of Mr. Trippe, it was declared adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Highways, to whom was referred the petition of J. Henry Snyder and others, asking the privilege to lay a drain from the said Snyder's slaughter house, on Bouldin alley, to Wilson street sewer, beg to report that they have examined into the matter, having made a personal inspection of the premises, and believe that the prayer of the petitioner should be granted.

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be granted J. Henry Snyder to lay a drain on Bouldin alley, beginning near the corner of McMechen street and running north to Wilson street sewer; the work to be done under the supervision of the Water Engineer; the expenses of the same to be defrayed by the said J. Henry Snyder.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Ehlers, the Branch adjourned until tomorrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Thursday, June 8, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Smyrk and Mills.

Mr. Johnson presented a petition from M. H. Hooper, to reinstate a pump to correct the kidneys at the northeast corner of Amity and Hollins streets, which was read and referred to the Joint Standing Committee on Water.

Mr. Johnson presented a petition from H. P. Byrne, and others, in reference to lettering street lamps, which was read and referred to the Joint Standing Committee on City Property.

Mr. Crout presented a remonstrance from J. Henry Snyder, and others, against the privilege being extended to Thomas Rutter to continue in use as stables certain frame buildings on Division street, which was read and laid on the table.

Mr. Price presented a petition from Griffith & Butler, to withdraw from the files the remonstrances filed against the Carey switch, which was read and laid on the table.

The President offered the following communication, which was read :

PITTSBURGH AND CONNELLSVILLE RAILROAD Co., }  
GENERAL OFFICE, PITTSBURGH, June 8, 1871. }

*To the Honorable the Mayor and  
City Council of Baltimore:*

The Pittsburgh and Connellsville Railroad Company respectfully asks that the capitalization of the interest due the city of Baltimore, with the principal thereof, be so de-

ferred that the first payment of interest thereon shall be made July, 1872, instead of July, 1871, as provided in your ordinance upon this subject.

We ask this action for the following reasons: Owing to the extraordinary difficulty in procuring labor, the severity of the seasons, and to the failure of several of the contractors in meeting their obligations, instead of the road being completed November, 1870, the last rail was laid on April 10, 1871.

The proceeds of the four million loan were found inadequate to build the road in the manner deemed necessary to provide for the large traffic expected to flow over this line, between its great terminal cities. Subsequent to the estimate of the engineer, and the issue of the bonds, the extent of the great business expected by the permanent interests of the road, it was decided to improve the grades materially, although the changes involved an additional expenditure of two hundred and fifty thousand dollars; and, for the same reasons, it was decided to substitute iron for wooden bridges over the entire length of the road. In order to prosecute the work rapidly and insure its early completion, the Baltimore and Ohio Company has already advanced in cash, for our aid, over five hundred thousand dollars, and there are still large expenditures to be made. Notwithstanding the increased equipment provided for the opening of the road, including ten new and splendid locomotives, built at the Mount Clare Works and furnished by the Baltimore and Ohio Railroad Company, an additional amount is needed and must be provided to meet the increasing demands of the business. Since transportation of freights commenced, a large total of business has been transacted. The most striking effect of the opening has been, however, to make most favorable and marked change in rates, and the increase in volume of business between Baltimore and Pittsburgh alone far more than justifies the previous action of Councils in this behalf. The value to your city is not represented alone by the amount of business passing over the Pittsburgh and Connellsville, that also upon the Northern Central partakes of the stimulus produced by low rates, thus inaugurated and enforced by the Baltimore and Ohio and this company, upon the opening of the Pittsburgh



and Connellsville Road. It is stated that more groceries have been sold from Baltimore for Pittsburgh, during the month of May, than the entire aggregate of many previous months. Nearly all the towns on the line of road between Cumberland and Pittsburgh, are already dealing directly with your city. Oil is being transported in such quantities as indicate very large trade in the near future. The effect upon the shipping interest is also marked, and leads to the conclusion that the commerce of your city, in this direction, will acquire a new and great impetus. The difference in rates of freight, both to and from Baltimore, produced by competition, will, in a very short period, restore to the city the entire amount, principal and interest, invested in this road. Yet this is but the beginning of the harvest the cities of Baltimore and Pittsburgh will surely reap.

In connection with the completion of this road, it has been determined to build a line from Pittsburgh to Chicago, with an independent road to the great oil regions of Pennsylvania, thus giving to Baltimore the advantage of more than fifty miles in distance to the latter, over any existing route.

By your favorable action upon this request your security will not be diminished, but, on the contrary, it will be considerably increased, as the amount yet to be provided will, of course, be covered by the lien of your mortgage.

Deeply impressed with the importance of this subject, for the promotion of our mutual interest, I most earnestly urge your favorable and prompt action.

I have the honor to be, very respectfully,  
Your obedient servant,

W. O. HUGHART, President.

On motion of Mr. Trippe, the communication was referred to the Joint Standing Committee on Ways and Means.

Mr. Price offered the following resolution which was read:

Resolved, That permission be hereby granted to Messrs. Griffith & Butler to withdraw from the files the remonstrances aforesaid.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the resolution granting permission to Thomas Rutter to continue the use of frame buildings as stables, on Division street, the President accordingly announced the order of the day, which was read.

The question being on the passage of the resolution, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Kernan, Torsch, Price, Sommerlock, Randall, Berry, Ehlers, and Johnson—13.

*Nays*—Messrs. Ward, Bond, Freeberger, and Crout—4.

The motion was declared adopted.

Mr. Randall presented a statement from the Board of Fire Commissioners, which was read and referred to the Joint Standing Committee on Fire Department.

Mr. Johnson offered the following resolution, which was read and adopted:

Whereas, the present commerce of Baltimore city and its prospective increase requires additional facilities for its easy access thereto, either by additional channel or channels or improvement of the Craighill and Brewerton channels by deepening the same; and whereas, a solicitous interest has been manifested by the members of the Board of Trade and Corn and Flour Exchange, who by their position in this community have a knowledge of the necessities existing hereunder; therefore, be it

Resolved by the First Branch of the City Council, That the Joint Standing Committee on Harbor be, and they are hereby, authorized to invite a committee of members from said Board of Trade and Corn and Flour Exchange to meet said Joint Standing Committee on Harbor in conference on this subject, to devise the best and most economical means to secure the purposes above alluded to, and to report result of said interview to this Council.

Mr. Crout offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, instructed to have the necessary repairs put upon the Western Female High School, Male and Female Primary School No. 4, and Male and Female Grammr School No. 15, during the approaching vacation, and that the sum of twelve thousand dollars, or so much thereof as may be necessary be, and the same is hereby, appropriated for the purpose.

On motion of Mr. Crout, the resolution was read a second time, by special order.

On motion of Mr. Trippe, to refer the resolution to the Joint Standing Committee on Ways and Means, the yeas and nays were demanded by Mr. Price, resulting as follows:

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Ward, Sommerlock, and Ehlers—7.

*Nays*—Messrs. President, Kernan, Torsch, Bond, Price, Randall, Berry, Freeberger, Johnson, and Crout—10.

The Branch refused to refer.

On motion of Mr. Johnson, the resolution was laid on the table and made the special order of the day for Monday, June 12th, at 5½ o'clock.

Mr. Crout offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, instructed to lease a suitable lot on one of the corners of Pratt and Fulton streets, fronting not less than — feet, with a depth of not less than — feet, at a price not exceeding dollars per front foot, for the erection thereon of a public school house, to be known as Male and Female Grammar and Male and Female Primary School No. —.

Be it further resolved, That the City Commissioner be, and he is hereby, directed to advertise for — weeks in the Sun, Gazette, and American for sealed proposals for the erection upon said lot of such school house, according to a plan and specifications to be furnished by him, and to award the contract therefor to the lowest responsible bidder, and that the sum of fifteen thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the erection of such building.

The resolution was, on motion, referred to the Joint Standing Committee on Ways and Means.

The President presented an ordinance entitled “An ordinance for the extension of Patterson Park,” which was read and referred to the Joint Standing Committee on Parks.

Mr. Torsch called up the ordinance known on the file as ordinance No. 27, entitled “An ordinance to increase the compensation of the superintendent, operators and lineman of the Police and Fire Alarm Telegraph,” which was read.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Randall, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Kernan, Ward, Torsch, Bond, Price, Freeberger, Ehlers, and Johnson—12.

*Nays*—Messrs. Trippe, Sommerlock, Randall, Berry, and Crout—5.

The ordinance was declared passed and the title approved.



Mr. Kernan moved that the vote by which resolution No. 187, of 1864, in favor of James Nolan, was repealed, be reconsidered.

The vote was declared reconsidered.

Mr. Kernan proposed a message to the Second Branch requesting the return of resolution No. 187, mentioned above.

The message was ordered to be sent.

On motion of Mr. Kernan, the resolution was referred to the Joint Standing Committee on Health.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Friday, June 9, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, and Sommerlock.

On a motion by Mr. Weitzell to adjourn, the yeas and nays were demanded by Mr. Ehlers, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Bond, Freeberger, Ehlers, and Johnson—6.

*Nays*—Messrs. Ward, Torsch, Price, Randall, Berry, and Crout—6.

The Branch refused to adjourn.

Mr. Ehlers moved to send for the absent member.

The motion was declared adopted.

On a motion by Mr. Ehlers to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Ward, Torsch, Bond, Freeberger, Ehlers, and Johnson—7.

*Nays*—Messrs. Price, Randall, Berry, and Crout—4.

The Branch was declared adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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Saturday, June 10, 1871.

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The Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., and all the members except Messrs. Mills and Kernan.

On motion of Mr. Bond to suspend the rules of business down to the reports of committees, the yeas and nays were demanded by Mr. Trippe, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Bond, Price, Randall, Freeberger, and Ehlers—12.

*Nays*—Messrs. Sommerlock, Berry, and Johnson—3.

The rules of business were suspended.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Ways and Means, to whom was referred the ordinance exempting the bonds of the Western Maryland Railroad, guaranteed by the city from taxation, have examined the subject and beg leave to make the following report:

We find that a very few of these bonds are now returned to the Collector, and the taxes received by the city are so small as to amount to a trifle. The road being nearly entirely built by our city, we believe it best and to her interest to relieve the said bonds from the city tax, thereby giving to the city a security enhanced to the difference in the value of the bonds. We therefore recommend the adoption of the ordinance submitted to us and herewith returned.

A. C. TRIPPE,  
BENJAMIN PRICE,  
H. CROUT,

*First Branch.*

C. G. KERR,  
H. McCOY,

*Second Branch.*

The ordinance was declared laid on the table.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Ways and Means, to whom was referred the application of the Pittsburgh and Connellsville Railroad for the capitalization of the interest of said company due on the 1st day of July, 1871, and on the 1st day of January, 1872, respectfully report that in the opinion of your committee the importance of equipping said road to a further extent than was originally contemplated, on account of the great traffic upon the line, exceeding the most sanguine expectations of its friends, and the fact that the security of the past three months has retarded the completion of the work, and thereby delayed the realization of the profits intended to be devoted to the payment of said interest, and the further important fact that the completion of the road on a more substantial basis has been necessitated to meet the unexpected and extraordinary demands of its traffic, have determined your committee to recommend that the interest be capitalized as requested until the year 1872,

and the committee ask the adoption of the following ordinance :

A. C. TRIPPE,  
BENJAMIN PRICE,  
*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
WM. H. VICKERY,  
*Second Branch.*

On a motion of Mr. Trippe to suspend the rules to give the ordinance a second reading, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Torsch, Bond, Freeberger, Ehlers, and Crout—9.

*Nays*—Messrs. Bruce, Smyrk, Ward, Price, Sommerlock, Randall, Berry, and Johnson—8.

The Branch refused to suspend the rules, and the ordinance was declared laid on the table.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Health Commissioner be, and he is hereby, directed to have cleaned all that part of Harford run below Eastern avenue, and that the sum of \$1,500, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the same, the said expense to be taken out of the levy of 1871.

On motion of Mr. Bond, the resolution was referred to the Joint Standing Committee on Health.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to



John Horst to erect fenders or posts five feet from his premises, between Eastern avenue and Hammond alley, the expense of the same to be paid by the said Horst, and to be done under the supervision of the City Commissioners.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have removed the old pump at the northeast corner of Eastern avenue and Spring street, and the well properly secured, the expense of the same to be taken out of the annual levy for pumps for 1871.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

Mr. Trippe offered the following communication, which was read :

HEALTH OFFICE, OLD CITY HALL,  
Baltimore, June 9, 1871.

*To the President First Branch City Council :*

On May 31st a resolution requesting the Commissioner of Health to clean all the streets of the city, commencing at the corner of Poppleton and McHenry streets, was passed by the First Branch of the City Council and transmitted to this department. A proper self-respect demands that the Commissioner of Health shall place upon the records of his department and of the City Council his defense against the charge which this resolution seems to imply. That the Commissioner of Health within the limit of the means supplied and the authority vested in his department, has exerted his best ability and energy to keep the streets cleanly, as their condition attests, being, as is almost universally admitted, as free from inconvenience and nuisance of every kind as ever before, and it affords that officer unqualified pleasure to know that this administration of his department has met the approbation of the great mass of his fellow-

citizens, and that no one, to his knowledge, has ever left his office without the assurance of all possible relief, and that assurance has ever been faithfully performed. At the time of the passage of this resolution a long-continued drought had so caused the pulverization of the sand upon the streets, that sprinkling with water only could prevent the dust which every puff of wind raised from the surface. The sand on Poppleton and McHenry streets was caused by excavations then and still in progress on the adjoining lots, and ought to have been prevented or removed by the contractors. Nevertheless, the resolution of the Council has been promptly complied with, both specially and generally, and hereafter, as heretofore, the duties of his department will be faithfully performed, in the hope that at the expiration of his term of office, he may retire with the approbation of his fellow-citizens.

I have the honor to be, most respectfully,

Ycur obedient servant,

MILTON N. TAYLOR,

*Commissioner of Health.*

The communication, on motion of Mr. Trippe, was laid on the table, and ordered to be printed.

Mr. Bruce introduced an ordinance to change the mode of contracting for printing and stationery, which was read.

On motion of Mr. Hudgins, the ordinance was referred to the joint special committee on city printing.

Mr. Ward, from the Joint Standing Committee on City Passenger Railway, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on City Passenger Railway, to whom was referred the ordinance conferring upon Wm. Devries and others the privilege of laying a city passenger railway through certain streets of the city, have examined into the matter, and believing that said railway

would be of advantage to the city of Baltimore, they respectfully ask the passage of the following ordinance :

OWEN WARD,  
JOHN W. TORSCH,  
*First Branch.*

H. McCOY,  
CHAS. G. KERR,  
*Second Branch.*

The ordinance was laid on the table.

Mr. Bond offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That permission be granted Michael Foley to withdraw from the Committee on Claims a petition presented by him to this Council.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Wm. W. Conaway, have examined the subject, and, taking all the circumstances into consideration, believe the said Conaway entitled to compensation to enable him to purchase a horse, in place of the one ruined by a fall through the street, by reason of its bad condition, and we believe the sum of one hundred dollars sufficient for that purpose. We therefore report the following resolution, and recommend its adoption :

BENJ. PRICE,  
JACOB H. FREEBERGER,  
H. CROUT,  
*First Branch.*

J. I. GROSS,  
CHAS. G. KERR,  
FREDERICK COOK,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to Wm. W. Conaway the sum of one hundred dollars, provided a proper receipt and release to the city is given therefor.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

Mr. Berry introduced the following ordinance, which was read :

An ordinance regulating the obstruction of streets.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That any corporation, person or persons who shall occupy the bed of any public highway in the city of Baltimore with any dray, cart, wagon, or other vehicle not actually in use, or who shall place in said highway any building material or any obstruction to public travel, or who shall for the purpose of repair, or laying pipe or track, or for any other purpose, so disturb any such public highway as to obstruct the same or render it dangerous, shall cause a lamp to be kept burning at such places so occupied and obstructed from sunset to sunrise, under a penalty of ten dollars for each and every night that said light shall not be kept burning, said fine to be recovered in the same manner as other fines.

SEC. 2. Be it enacted and ordained, That this ordinance shall take affect from the date of its passage.

On motion of Mr. Berry, the ordinance was referred to the Joint Standing Committee on Highways.

Mr. Smyrk called up ordinance known as No. 28 on the file, entitled "An ordinance supplementary to and explanatory of an ordinance entitled 'An ordinance authorizing a contract with the Gaslight Company of Baltimore and the People's Gas Company for furnishing the city lamps with gas.'"

The President offered the following amendment, which was read :

"It being, however, expressly understood and agreed,



that the company shall have no claim against the Mayor and City Council of Baltimore for or on account of any gas consumed or wasted by reason of any greater pressure than may be necessary to give a uniform supply of five feet to the hour to what are commonly known as the five-feet burners, heretofore used on the street lamps of this city."

The question being on the passage of the amendment, the yeas and nays were demanded by Mr. Freeberger, resulting as follows:

*Yeas*—Messrs. President, Bond, Sommerlock, Randall, Freeberger, Ehlers and Crout—7.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Berry and Johnson—10.

The amendment was declared lost.

On a motion by Mr. Ehlers to adjourn, the yeas and nays were demanded by Mr. Berry, resulting as follows:

*Yeas*—Messrs. President, Bond, Sommerlock, Randall, Freebeeger, and Ehlers—6.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Berry, Johnson, and Crout—11.

The Branch refused to adjourn.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Ehlers, resulting as follows:

*Yeas*—Messrs. Weitzell, Trippe, Bruce, Smyrk, Ward, Torsch, Price, Berry, and Johnson—9.

*Nays*—Messrs. President, Sommerlock, Randall, Freeberger, Ehlers, and Crout—6.

The ordinance was declared passed, and the title approved.

On motion of Mr. Weitzell, the Branch adjourned until Monday afternoon next at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, June 12, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Smyrk and Kernan.

Mr. Mills presented a petition from A. Forrester, to erect a frame shed in the rear of premises No. 63 McElderry street, which was read and referred to the Joint Standing Committee on Fire Department.

Mr. Mills presented a petition from Philip Hise, to grade, pave, and flag Mosher street and Stoddard alley, which was read and referred to the Joint Standing Committee on Highways

Mr. Torsch presented a memorial from F. N. Webb, in reference to signs for street lamps, which was read and referred to the Joint Standing Committee on City Property.

Mr. Johnson presented a petition from W. S. Raynor and John T. Ford to change the bed of Baker's branch, and for permission to build a sewer, which was read and referred to the Joint Standing Committee on Highways.

The President presented a communication from George H. Pagels, President of the Board of Trustees of the Bay-

view Asylum, with estimates for an independent supply of water for that Asylum, which were read and referred to the Joint Standing Committee on Almshouse.

Mr. Bond, from the joint special committee on the investigation of certain charges made by the Abbott Iron Company submitted the following report and accompanying resolution and testimony, which were read :

The joint special committee to whom was assigned the duty of investigating the truth or falsity of certain charges made against the City Council by parties representing the Abbott Iron Company of this city, beg leave to present herewith their report.

The circumstances which in the opinion of the Council called for this investigation, and led to the appointment of your committee, were that statements most damaging in their character were being openly made and widely circulated by the directors and employees of the Abbott Iron Company to the effect that the City Council was endeavoring, by needless delay and threatened defeat of an ordinance granting wharf privileges most important to the Company, to coerce the payment of the sum of \$750 ; the said sum being claimed under color of a bill presented for a collation furnished the Council, or a portion of the members thereof, said collation having been unauthorized by the Abbott Iron Company.

Accompanying this charge was the further one, that a demand had been made by certain parties claiming to represent this Council that the firm of Swain and Banks, lumber contractors, should have the contract for the lumber needed in the erection of the wharf to be built under the ordinance petitioned for, and that unless this concession was made the ordinance in question would not be passed. When charges and accusations of a more general nature, arising out of them, were widely and wisely circulated by persons connected with the Abbott Iron Company, many of them men whose standing and character entitled their utterances to weight in the community, and whose love of justice should have led them to an investigation of the facts before they lent

the weight of their personal influence to accusations of fraud against the City Council, which their own testimony, taken before this committee, has proved so utterly without foundation. Indeed, so far did Mr. Abbott, one of the directors of the company, go, that he made direct threats to more than one member of this committee, and others of the Council, that unless the wharf privilege asked by him was granted he would make an exposure of the Council in the public prints.

Under these circumstances to be silent seemed to but admit guilt, and but one course was left to vindicate the honor of the Council, and that was that a full and thorough investigation of the charges made by the Abbott Iron Company should be had.

For this purpose your committee was appointed, and they believe in the execution of their trust they have left no stone unturned to bring the truth to light, feeling fully determined that if blame there was it should rest on proper shoulders.

In the first place they decided to summon before them the parties connected with the Abbott Iron Company, in order that they might have an opportunity of substantiating the assertions made by them, and stating any grievances they might have to the committee; they also summoned such others as they were led to suppose had knowledge of the matter, which would be of value in the investigation. In obedience to the summons, on the first day of the meeting, Messrs. Horace Abbott, and William Keyser, directors, and Mr. Charles H. Ashburner, President of the Abbott Iron Company, appeared before them, as also Mr. William H. Fritz, an employee of the Company, and Messrs. Geo. A. Cunningham and Jos. R. Gollibart. At a subsequent session, Messrs. Emmett Banks and Francis Cutair, also summoned by the committee, were present. In order that the testimony given might be of the most satisfactory character, the witnesses were severally sworn, and their evidence reduced to writing, as given.

After a patient and most searching examination of the



testimony adduced, your committee has with entire unanimity come to the following conclusions, which it gives them sincere pleasure to report to this Body as fully vindicating its honor in the matter—conclusions which they believe are fully borne out by the written testimony taken before them on the occasions mentioned and herewith returned to your Honorable Body :

First. Your committee finds that the Abbott Iron Company, through their agent, Mr. Fritz, authorized the furnishing of a collation to the committee of the City Council invited at the suggestion of said Company to visit the locality at which they desired to erect the wharf petitioned for. Under this state of facts your committee regard the question of the propriety or impropriety of the amount of the bill presented by Mr. Cutair, who furnished the refreshments in question, as one entirely between the Abbott Iron Company and Mr. Cutair, and one upon which they give no opinion, deeming it foreign to the purposes of this investigation.

Second. They find that instead of approaching the Abbott Iron Company, as charged by them, with a demand that he should be permitted to contract for the lumber needed by the Company as a condition precedent to the passage of the ordinance asked for by them, Mr. Banks was in fact solicited by Mr. Cunningham, on behalf of said Company, to put in a bid for the lumber, they hoping that his personal influence might be of service to the Company in getting the ordinance in question passed.

Third. They further find that there is not a shadow of evidence tending to implicate any member or members of the Council as being interested in the payment of the bill of \$750, presented by Mr. Cutair to the Company as aforesaid, and by them refused payment ; nor is there a particle of evidence going to show that any member or members have made any improper demand, or demand whatsoever, upon the Abbott Iron Company in regard to the wharf privileges asked by them from the Council.

Your committee believing, therefore, that the charges and assertions made by the Abbott Iron Company are totally

without foundation so far as the integrity of the Council is concerned, respectfully beg leave to submit to your consideration the accompanying testimony, and ask to be discharged from further consideration of the subject :

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN F. SOMMERLOCK,

*First Branch.*

A. W. DUKE,  
WM. H. VICKERY,  
J. I. GROSS,

*Second Branch.*

Resolved, That the committee be discharged from the further consideration of the subject.

Charles H. Ashbruner, President of the Abbott Iron Company, sworn, says :

Question.—State if, you please, your name, residence and occupation ? Answer.—Charles H. Ashbruner. I reside at No. 331 E. Pratt street in this city, and am President of the Abbott Iron Company.

Q.—Have you any knowledge of an application made by the Abbott Iron Company to the Mayor and City Council of Baltimore for the grant of certain wharf privileges—and if so, state the nature of the application. A—I have knowledge of the fact that an application was made on behalf of the Company ; the same application had been made previously, but we heard nothing of it. The Company has been leasing, for some years, a wharf from the Canton Company, but it has proved insufficient, and several years ago we secured a front for the purpose of having a place which would amply accommodate us. Being anxious to erect this wharf, we made application to the last City Council for an extension beyond the present Port Warden's line and failed to obtain the privilege. Some six or seven weeks since, in conversation with Mr. George Cunningham, regarding this wharf, he told me he thought

the thing could be arranged; it was his opinion, that if we would give the preference of the lumber to be furnished to a certain party, he thought the matter could be put through. I asked him who the party was. He said Swain & Banks, who were lumber contractors. I told Mr. Cunningham we were very anxious to have the wharf, and it made no difference to us who furnished the lumber, that we would as lief give it to Swain & Banks as any one. We understood from almost every one, that very few, if any, were opposed to it (the wharf.)

Q.—When you say you had understood “from almost every one,” do you mean members of the Council or persons outside? A.—I mean by “every person,” that I had never heard any one make opposition to it.

Q.—When Mr. Cunningham approached you on this wharf subject, on whose behalf did you understand that he spoke, as a friend of your firm, or on behalf of Messrs. Swain & Banks. A.—I understood nothing except that Mr. Cunningham felt an interest personally. He was a neighbor of ours, and might sometimes want the use of the wharf himself, he having no wharf of his own.

Q.—By what authority do you suppose he spoke for Banks & Swain. A.—I don't know of any authority.

Q.—Did you agree to his suggestions that Swain & Banks should have the contract for lumber? A.—I said I had no objection to give them the sale of the lumber, provided they got it put through.

Q.—Did you understand that you had made an agreement with Swain & Banks? A.—I so understood it, but it was only a verbal agreement.

Q.—Do you know anything of a bill said to have been presented to the Abbott Iron Company for refreshments furnished to the Council? A.—When I returned, on entering my office, a person (Mr. Cutar) asked my name, and then handed me a bill, the amount of which, he said, he would like to have. I think this happened on the Monday



or Tuesday after the excursion. I looked at the bill, and thought at first the amount was \$75, and my first idea was to hand him a check for that amount, supposing it to be a bill for a moderate collation. When I examined it closely and saw it was for \$750, and not approved by anybody, I refused to pay it.

Q.—In whose name was this bill made out? A.—I think it was made out in the name of Mr. Cutar, for refreshments served as per order of E. Banks. The person presenting this bill asked me then, when he should call again for it. I told him it was not necessary to call at all; that if I found it was a proper bill, properly authorized, I would send him the amount. A few days after he called again for it. I told him I had not found out that anybody had authorized it, and again declined to pay it, adding, at the same time, that it was “terribly exorbitant.” He asked me how much too large I thought it was. I told him \$600 or \$700. He said “You don’t know what we had; everything was very nice; we had wine;” and when I told him it was out of all character, he intimated it was not all for refreshments.

Q.—What do you suppose he meant when he stated it was not all for refreshments? A.—I can’t tell what he meant, when he said it was not all for refreshments.

Q.—Have you any reason to suppose that any member or members of the City Council authorized the making the demands you have spoken of, or had any knowledge of the intention to make them prior to the time you say they were made to the Company? If you have, what are those reasons? A.—I have no knowledge whatever that any member of the City Council was interested.

Q. Had you any further conversation with Mr. Cutar in regard to the bill presented by him? A.—Mr. Cutar came down some days afterwards, and said he wanted that bill. I told him I could not pay that bill. He said Oh! I don’t want the money; I want the bill; I also said if Mr. Keyser, or any of the Directors, had authorized it, I would pay it.

Q.—In your conversations with Mr. Cutar in relation



to the bill, did he say that unless it was paid, that the City Council would not pass the ordinance you were asking for in the wharf-matter? A.—No sir, he did not; I would have paid him \$100.

Q.—Why would you have paid him even \$100? A.—Because the Company would have had no more objection to paying for a collation on the boat than at the office.

Q.—Did Mr. Cutar say anything further in his conversation regarding this matter? A.—Mr. Cutar said, the last time he called, that he would have it from *somebody*.

Q. (by Mr. Duke)—It has been said that the Abbott Iron Company have charged that the reconsideration of the vote on the ordinance extending the Port Warden's line, was done for the purpose of coercing the Abbott Iron Company into the payment of the bill of \$750 presented by Mr. Cutar; also into giving the contract for lumber to some person or persons whose names were not mentioned; if so, what were the grounds for such charge? A.—I never said so.

Wm. Keyser, sworn, says:

Q.—State, if you please, your name, address, and connection with the Abbott Iron Company. A.—Wm. Keyser. I reside at No. 125 Park street, and am a Director in the Abbott Iron Company.

Q.—Have you any knowledge of an application made to the Mayor and City Council by the Abbott Iron Company for the grant of certain wharf privileges, and if so, state the nature of that application? A.—I know an application was made for the privilege of extending a pier 100 feet. The first application was made some eight or ten months ago. The privilege asked is the same accorded to our neighbors on either side.

Q.—It has been asserted by various persons connected with the Abbott Iron Company that certain parties claiming to represent or speak for the City Council, have demanded from said Company improper inducements,

stating that a compliance with such demands was necessary to obtain the grant of wharf privileges petitioned for by the Company. Have you any knowledge of such demands having been made, and if so, state, if you please, what you know in regard to them, and the names of parties making said demands? A.—My knowledge was first obtained from Mr. Ashbruner, President of our Company; he showing me a bill for \$750 for refreshments. It was made out in the name of Mr. Cutar, per order of E. Banks. Mr. Ashbruner expressed great surprise. A day or two after I was waited on by Mr. Cutar, who asked that some conclusion should be come to about it. I refused to sign it, although I was willing to have paid a reasonable amount, say \$100 or \$150, for a collation. A day or two after Ashbruner said Mr. Cutar had been there again and demanded payment. Afterwards Mr. Cutar again called to see me, accompanied by Mr. E. Banks. I told him that our Company was willing to pay anything reasonable, or anything that Mr. Fritz said was right, but this bill was unreasonable, and they saw no good reason for its payment. When I afterwards saw Cutar he said he was not willing to make a compromise, but must have \$750. He said he was willing to leave it to any two impartial members of the Council for settlement, and named as one of the referees Mr. Bishop. He produced no authority for the collection of the bill. This occurred on Monday or Tuesday after the trip.

Q.—Did Messrs. Banks or Cutar make any threat that unless this bill of \$750 was paid the ordinance in which the Company was interested would be defeated by the City Council? A.—No, sir; neither of them did.

Q.—Have you knowledge of any other demand made with regard to building the wharf? A.—No, sir. There was a proposal put in for lumber for the wharf, based upon an agreement that Swain & Banks should have the contract for lumber.

Q.—Do you mean that this proposal was based upon a previous agreement? A.—I only understood it to be a preference to Swain & Banks.

Q.—On what grounds was the preference to be given to them? A.—The agreement was made before I knew anything of it, but I understood that Banks & Swain would attend to getting the matter through the Council.

Q.—With whom was this agreement made? A.—With Mr. Ashburner.

Q.—Have you any further knowledge in regard to the matter of investigation? A.—No, sir.

Q.—Have you any reason to suppose that any member, or members, of the City Council authorized the making of the demands you have spoken of, or had any knowledge of the intention to make them, prior to the time you say they were made to the Company, and if so, what are those reasons? A.—Mr. Cutar ordered the refreshments, but I can only tell what he said about it. Mr. Cutar said Mr. Johnson, of the City Council, had ordered the refreshments, and further said, Mr. Johnson had received the authority from Mr. E. Banks, upon the authority of the order from Mr. Fritz.

Q.—Do you know, or have you heard, that the bill for these refreshments had been previously paid? A.—I did hear that Judge MacCubbin had paid to Mr. Cutar a bill of \$140, and that he (MacCubbin) believed it was for this matter, but when he investigated it he found it was not the same bill.

Horace Abbott sworn, says :

Q.—State, if you please, your name, residence and business connection with the Abbot Iron Company. A.—Horace Abbott. I reside in Baltimore County, and am one of the Directors of the Abbott Iron Company.

Q.—It has been asserted by persons connected with the Abbott Iron Company that certain parties, claiming to represent or speak for the City Council or a Committee thereof, have demanded from said Company improper inducements, stating that a compliance with such demands



was necessary to obtain the grant of wharf privileges petitioned for by the Company. Have you any knowledge of such demands having been made? If so, state, if you please, what you know in regard to them, and the names of parties making them. A.—My knowledge of the thing is what I heard, mostly from Mr. Ashbruner, the President of our Company. I watched the proceedings of the City Council closely in reference to their action in regard to the wharf. The Company leased a part of the property belonging to the Patterson estate, and inasmuch as the extension had been granted to the Company above us, an application was made to the City Council to grant our Company the privilege of extending the wharf on a line with the extension above and below. We were disposed to do anything to treat the City Council with respect, and at one time the Council came down there, and I think they were entertained at the office. The ordinance had passed in a former year both Branches of the City Council, but failed to be engrossed. It was brought up again in this Council, as I understood there was no objection to our having the wharf. I was surprised when Mr. Ashbruner presented me a bill for \$750, and asked me if I had authorized it. I said to Mr. Ashbruner that I never authorized any such bill, and asked its object. He said he understood it to be for a collation on board the boat for the City Council. I said to Mr. Ashbruner that I could not give my consent to have any such bill paid. He took the bill away; I have not seen it since. Then a recommitment of the ordinance was had; from that fact I supposed the refusal of the payment of this bill of \$750 must have had something to do with it.

Q.—Do you base your idea that the City Council was interested in the payment of that bill upon the fact alone, that the ordinance granting the wharf was recommitted to the Committee. A.—That is what I based my opinion on.

Q.—Did you, or your Company, authorize any party to pay for a collation. A.—Not to my knowledge. At the time Mr. Ashbruner presented that bill for refreshments, he presented two or three bids for lumber, and said it would be necessary to give Messrs. Banks & Swain the



preference for the lumber if the bill was passed through the City Council.

Q.—Did he give any reason for saying so? A.—Yes. He thought they had influence in the City Council that would pass the ordinance.

Q.—Have you any reasons (other than those you have given) to suppose that any member, or members, of the City Council authorized the making of the demands you have spoken of, or had any knowledge of the intention to make them, prior to the time you say they were made to the Company, and if so, what are those reasons? A.—I have no knowledge of it at all.

Q.—What was the difference in the offers for the lumber contract? A.—About \$1400 or \$1500. Swain & Banks were the highest.

#### MR. GEORGE A. CUNNINGHAM'S TESTIMONY.

Mr. George A. Cunningham being duly sworn, says :

To first Interrogatory—Resides at No. 320 East Pratt street. State (if you know) of any proposition being made by Messrs. Swayne & Banks in reference to the lumber to be furnished for the building of the wharf for the Abbott Iron Company, which has been spoken of?

Answer. I never saw any, but there is a verbal proposition. When the Mayor, Port Warden and Emmett Banks and others, were at the Abbott Iron Company, they were talking to Mr. Gilman, Vice President of the Company; after the party left Mr. Gilman, Mr. Fritz and myself went up into Mr. Fritz's room; Mr. Gilman asked Mr. Fritz if he had any proposition for the lumber, he said he had; asked him what it was, said \$30 per M. Mr. Gilman remarked that Swayne & Banks' was \$31 per M, and said, "you had better take it, that is, give it to them." He asked him if he had an estimate for the piles; Mr. Fritz said, No! Then said to Fritz, you had better get an estimate from Swayne & Banks.

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BY MR. BOND.

Question. Did you suggest that the contract had better be given to Swayne & Banks?

Answer. Yes, sir! I suggested it. If they could get the bill through the Council that he should have the preference; I knew they were there every day, (or E. Banks was) on the spot, and I knew he could attend to it.

I have no reason to suppose that any member of the City Council is at all interested in this contract. It was understood by the Company that I was to make the suggestion.

#### WILLIAM H. FRITZ'S TESTIMONY.

William H. Fritz being duly sworn, says:

I reside at No. 7 South Broadway, and am an engineer.

Second and third interrogatory waived.

Fourth interrogatory—I have no knowledge except of the bill of \$750; it was shown me by Mr. Ashburner, presented by one Cutair; it was for a collation given to the City Council on board of the boat.

I called to see Mr. Banks in reference to furnishing the lumber for the wharf. He said he was going to have the City Council visit the wharf. The contract was pending, and therefore my visit to Mr. Banks, as I wanted to solicit an estimate from him.

To fifth interrogatory, he says:

No, sir! I know of nothing to implicate the City Council, I called on Mr. Banks and told him Mr. Ashburner would give a collation at the office; Mr. Banks proposed to give it on board of the boat to the members of the Council. I then stated that I did not think it would make any difference to Mr. Ashburner whether it was given on the boat or at the office.

Did you have any further conversation ?

Answer. That is about all ; I understood the Company was to pay for it. It was at my suggestion.

BY MR. VICKERY.

Question. Do you know anything in reference to a communication which, it is said, Mr. Banks addressed the Company, in regard to a collation ?

Answer. I remember seeing a bid sent into Mr. Ashburner for the lumber, and there was mentioned in it something about a collation. After my interview I went to Pennsylvania and was there for a week.

BY MR. DUKE.

Question. Did you ever hear that Mr. Cutair (who presented the bill) say that it was necessary for the bill to be paid, or that Swayne & Banks should have the contract before the ordinance would pass the Council ?

Answer. No sir ?

BY MR. SOMMERLOCK.

Question. Did you hear that any member of the City Council was implicated ?

Answer. No, sir !

#### JOSEPH R. GOLLIBART'S TESTIMONY.

Joseph R. Gollibart being duly sworn, says :

To first interrogatory—Reside at 233 N. Charles street.

Second and third waived.

To fourth interrogatory, says :

No, sir ! I have no knowledge about it.

## FRANCIS CUTAIR'S TESTIMONY.

Francis Cutair being duly sworn, says :

To first interrogatory—that he resides at 700½ West Baltimore street.

BY MR. BOND.

Question. It has been stated here in the evidence given that a bill was presented by you to the Abbott Iron Co. for refreshments furnished to the City Council on a recent visit to the Abbott Iron Co.; will you state by whose authority such collation was furnished?

Answer. The bill I presented to the Abbott Iron Co. made no reference to the City Council; it read thus:

“BALTIMORE, March 31, 1871.

Abbott Iron Company

*To Francis Cutair, Dr.*

For refreshments served, as per order of E. Banks, \$750.”  
That is it *verbatim*.

Question. For what was the bill presented?

Answer. For the collation served on board of the boat.

Question. On board of which boat, and to whom?

Answer. On board of the Tugboat “Baltimore,” and to the Abbott Iron Co.

Question. By whose order?

Answer. The bill said: “as per order of E. Banks.”

Question. Did I understand you, it was served by order of E. Banks.

Answer. I will tell you. In the first place I was spoke to by Mr. Jos. G. Johnson. He told me there was a committee going down the harbor, and he supposed there would be a collation served on the boat—he asked me if I could serve it. I told him I could. I asked him whom I was to



see in reference to the matter. He said he thought I was to see Mr. Emmett Banks. I saw Mr. Banks the next day—asked him if he knew anything about the committee which was going down the harbor—told him I would like to serve the collation. His reply was: “that’s all right,” or words to that effect. I then made preparation, bought my stock and served the refreshments.

BY MR. BOND.

Question. Did you see any member of the Abbott Iron Co. in reference to serving the collation.

Answer. No, sir.

BY MR. DUKE.

Question. Did you at any time when you called on Mr. Keyser, or any other members of the Abbott Iron Co., in relation to your bill, say that the amount of said bill was not all for refreshments?

Answer. Under oath, and most positively, I never made a remark of that kind.

Question. Do you know of any member or members of the City Council that was pecuniarily interested in your bill?

Answer. I did understand that there was a member or members of the City Council assert to the Abbott Iron Co. that if my bill was paid, or any portion of it, that the ordinance would not pass the City Council, or something similar.

BY MR. SOMMERLOCK.

Question. Did you hear the names of those members who thus spoke?

Answer. I heard the names of Bond, Duke and Bishop mentioned in the conversation; but whether either of those, or all, said it, I am not prepared to say.

Question. With whom was that conversation held?

Answer. With Mr. Keyser, a director.

BY MR. DUKE.

Question. Did Mr. Keyser say that Messrs. Bishop, Bond and Duke called on him personally?

Answer. No, sir; I don't think he did.

BY MR. SOMMERLOCK.

Question. Did you at any time after they refused to pay that bill offer to refer it to members of the City Council for arbitration?

Answer. No, sir! I don't know of any names being mentioned as arbitrators.

Question. Was it by order of Mr. Banks or Mr. Johnson that you served the collation?

Answer. That is a very hard question to determine. Mr. Johnson spoke to me about serving the collation; afterwards I saw Mr. Banks and spoke of it, and he said all right. Mr. Jos. G. Johnson, when he heard the Company refused to pay the bill, said he would give me \$500 out of his own pocket, and to receipt the bill. I said no; I won't do it.

Question. Did you ever use any threat that if the bill was not paid the ordinance would be defeated.

Answer. Most positively, and under oath, I never made any such threat.

BY MR. DUKE.

Question. In relation to what Keyser said about Duke, Bond and Bishop, was it before or after the ordinance passed the Second Branch?

Answer. I don't remember. I think I presented the bill the day after the ordinance passed.

Question. Did Keyser say where he got his information?

Answer. I don't think he did?

## EMMETT BANKS' TESTIMONY.

Mr. Emmett Banks being duly sworn, says:

To first interrogatory—that he resides at No. —

Question. Will you please state what you know in regard to the application made to the City Council by the Abbott Iron Co. for the building of a wharf at their works?

Answer. I heard there was such an application—Mr. Cunningham, of the firm of Robinson & Cunningham, called upon me and told me that the Abbott Iron Co. were anxious to have the privilege, and asked me if I could assist them in any manner. I told him that I would inquire, and see what I could do, and would let him know. He asked me if I would go down and see them. I did so and they showed me their plat, and also the place where they proposed to build the wharf. They appeared to be at a loss to discover reasons why the City Council would not grant them the privilege; they said they could see no objection, as no one had as yet said why they should not have it. I asked a number of the members if there was any objection; those I spoke to, said they had supported the thing before and would do so again—I asked the Port Warden if there could be any objections, he said—none—that they ought to have it, &c., then I asked Mr. McCoy, if he would not get the Committee on Harbor to meet the Abbott Iron Co. at the Mayor's office: they did meet—I was not present, after that, they spoke about bringing the City Council down to their place, and examine what they wanted done, so that afterwards there might not be any objections offered, and they requested me to let them know at what hour the Council would go down, so that they might be there to meet them.

BY MR. DUKE.

Question. When you speak of "them," whom do you mean?

Answer. Mr. Ashburner and Mr. Fritz. Mr. Fritz afterwards came to my place of business—(lumber yard) and requested me to put in a bid for the lumber, also asked me

if I would not furnish the piles, or at least give them a bid for them—I told him I would do so; then there was some talk about having a collation, and I asked whether they would furnish it at their place, or if they would have any objection to having it on the boat—he said—No!—it would be all right, that is all the same to the company. This led me to suppose that if the Council came down, they wanted to have something for them, (the Council.) I told the chairman of the Harbor Committee of the First Branch City Council what Mr. Fritz had said in relation to the collation.

BY MR. SOMMERLOCK.

Question. Was there any price named as to what the collation would cost?

Answer. None that I know of, I had nothing further to do with it.

BY MR. SOMMERLOCK.

Question. Was the Abbott Iron Co. perfectly satisfied to give the collation on the boat?

Answer. They were, at least Mr. Fritz so instructed me.

BY MR. BOND.

Question. The bill presented to the Abbott Iron Co. was made out "by order of E. Banks" by what authority was that order given?

Answer. By no authority of mine—I never saw the bill until after it was presented, nor did I know the amount of it.

BY MR. BOND.

Question. Do you know who ordered the collation?

Answer. I do not know—I should suppose that Mr. Johnson spoke to Mr. Cutair.

BY MR. BOND.

Question. As I understand your testimony you were first approached by Mr. Cunningham in behalf of the Abbott



Iron Co., and you did not *first* solicit the building of the wharf from them?

Answer. I did not solicit it.

BY MR. MILLS.

Question. Have you any reason to believe that any member of the City Council was at all connected with this transaction.

Answer. No sir! I know of no reason.

On motion of Mr. Bond the resolution was read a second time, by special order, and adopted.

On motion of Mr. Bond, the report and accompanying testimony were ordered to be printed upon the journal.

Colonel Wm. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a message from His Honor the Mayor.

Mr. Torsch, from the Joint Standing Committee on Markets, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Markets, to whom was referred the ordinance in relation to leasing the Canton market to the Canton Company, respectfully report that upon examination of the subject they believe it would be advantageous to the city's interest to lease the said market; they therefore offer the following ordinance and ask its passage:

JOHN W. TORSCH,  
G. MORRIS BOND,  
*First Branch.*

DANIEL CONSTANTINE,  
JESSE R. OGLE,  
WM. H. VICKERY,  
*Second Branch.*

An ordinance to lease to the Canton Company of Baltimore the property belonging to the Mayor and City Council of Baltimore known as the Canton market, situated on O'Donnell street.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, authorized and directed to lease to the Canton Company of Baltimore the property known as the Canton market, situated on O'Donnell street, with all the rights, privileges and powers of said Mayor and City Council to rent and collect the rents from the stalls and stands in and around said market, and to do all things necessary for holding market thereat, and to exercise absolute control thereof, under such regulations as are established for the government of other markets in the city of Baltimore not inapplicable to said Canton market as prescribed by ordinance, for the term of five (5) years, subject, however, to such sales or leases of stalls as may have been made by said Mayor and City Council, or the agent thereof; provided that said Canton Company of Baltimore shall thoroughly repair said market, and maintain it in good order during the said term of five years.

SEC. 2. Be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Ward, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Ehlers moved that a committee of two be appointed to invite the Second Branch into convention with the First on a sealed communication from His Honor the Mayor.

The Chair appointed Messrs. Ehlers and Hudgins as said committee.

The two Branches then went into convention, and, after remaining therein for some time, the members of the Second Branch returned to their Chamber.

Business being resumed, Mr. Trippe, from the Joint

Standing Committee on Entertainment of the National Commercial Convention, submitted the following report and accompanying resolution, which were read :

The joint special committee on Entertainment of the National Commercial Convention, on the memorial of his Honor the Mayor, respectfully report that the famous hospitality of the City and the advantages of its commercial interests require that a liberal appropriation be made for the purpose, and ask the adoption of the following resolution :

A. C. TRIPPE,  
JOS. G. JOHNSON,  
GEO. R. BERRY,

*First Branch.*

H. McCOY,  
CHAS. G. KERR,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the sum of two thousand dollars, or so much thereof as may be necessary, be appropriated for the purpose of defraying the expenses of the National Commercial Convention, to meet in this city in September next, the same to be taken out of any moneys in the Treasury not otherwise appropriated.

On motion of Mr. Trippe, the resolution was read a second time, by special order.

Mr. Johnson offered the following amendment, which was read and adopted :

“ Said appropriation to be under the management and control of said joint special committee, who are hereby directed to present their bills of expenses, signed by a majority of said joint special committee, to the Joint Standing Committee on Claims, and a majority of said Joint Standing Committee on Claims signing the bills of expenses

shall be a warrant on the City Register for the payment thereof."

The question recurring on the adoption of the resolution, the resolution as amended was declared adopted.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the ordinance making provision for the payment of the interest on the bonds of the Western Maryland Railroad guaranteed by the city, respectfully report that they have given due attention to the matter, and inasmuch as the city is liable for the same under her guarantees, it is incumbent upon her to see that the payment shall be promptly met. Whether the road shall or not be able to pay the same at maturity, the obligation of the city remains the same. We therefore report the ordinance as submitted to us and recommend its adoption.

A. C. TRIPPE,  
BENJAMIN PRICE,  
H. CROUT,

*First Branch.*

C. G. KERR,  
H. McCOY,  
WILLIAM H. VICKERY,

*Second Branch.*

An ordinance authorizing and directing the Register of the City of Baltimore to pay the interest on the bonds of the Western Maryland Railroad Company, guaranteed by the Mayor and City Council of Baltimore, under the provisions of an ordinance approved January 21st, 1870, entitled "An ordinance to authorize the endorsement or guarantee by the Mayor and City Council of Baltimore, of the mortgage bonds of the Western Maryland Railroad Company, to provide a sinking fund in connection therewith, in case the said company shall fail to pay the same."



Whereas, The Mayor and City Council of Baltimore, by the provisions of an ordinance approved January 21, 1870, and entitled "An ordinance to authorize the endorsement or guarantee by the Mayor and City Council of Baltimore, of the mortgage bonds of the Western Maryland Railroad Company, and to provide a sinking fund in connection therewith," has come under obligation to endorse the mortgage bonds of the said company to the amount of fourteen hundred thousand dollars, payable on the first day of January, nineteen hundred, and also, the coupons for interest attached to the said bond; and whereas, the credit of the city requires that provision be made for the prompt payment of the interest thereon in the event that the said company may make default in paying any of the coupons attached to said bonds.

SECTION 1. Be it enacted and ordained, by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, directed to pay the interest upon any of the bonds endorsed or guaranteed, or hereafter to be endorsed or guaranteed under the provisions of said ordinance, in case provision be not made by the said company for payment of such interest coupons at their maturity.

SEC. 2. And be it further enacted and ordained, That this ordinance take effect from and after the date of its passage.

On motion of Mr. Johnson, the ordinance was read a second time, by special order.

The question being on the passage of the ordinance, the yeas and nays were requested by the President, resulting as follows:

Yeas—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, and Crout—  
--17.

The ordinance was declared passed and title approved.

The hour having arrived for the consideration of the resolution appropriating \$12,000 for the repair of certain school-houses, the President accordingly announced the special order of the day, which was read.

The question being on the adoption of the resolution, the resolution was declared adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
BALTIMORE, June 8, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition to appoint a joint special committee on the disagreeing votes of the two Branches in regard to the salary of the Deputy City Register, and name on the part of this Branch Messrs. McCoy, Kerr and Ogle.

By order,

GEO. T. BEALL, Jr., *Clerk.*

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, June 9, 1871.

*Gentlemen of the First Branch :*

We herewith return you, in accordance with your request, the report of Joint Standing Committee on Health, on resolution No. 187, approved October 5th, 1871.

By order,

GEO. T. BEALL, JR., *Clerk.*

Mr. Trippe introduced an ordinance entitled "An ordinance to repeal ordinance No. 93, approved October 22, 1864, entitled 'An ordinance to authorize the Commissioners of Finance to sell and reinvest the stock or bonds held

by the city in any railroad, &c.,' " which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Trippe introduced an ordinance entitled "An ordinance to increase the compensation of the employees of the City Collector's office, which was read and laid on the table.

Mr. Mills offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That all persons assessed for benefits for the opening of an alley twenty feet wide, from German to Lombard street, in the rear of the warehouses fronting on Harriscn street, be allowed six months extension of time for the payment thereof.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Ward offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That Messrs. John T. Ford, William W. McClellan, and others be allowed to put down, at their own expense, a pipe to drain their cellars, from Holliday Street Theatre by the line of Holliday and Pratt streets to McClure's dock, the size of the pipe to be regulated and the work to be done under the supervision of the City Commissioner.

The question being on a motion of Mr. Ward for the suspension of the rules, the yeas and nays were demanded by Mr. Berry, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Johnson, and Crout—14.

*Nays*—Messrs. President, Freeberger, and Ehlers—3.

The rules were declared suspended.

The question recurring on the adoption of the resolution, it was declared adopted.

Mr. Torsch offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Mayor be, and he is hereby, requested to employ a band of music to play at Patterson and Druid Hill Parks during the months of June, July, August, and September, of the present year. At the latter place on Wednesdays and Saturdays, and at the former on Tuesdays and Thursdays, during said months, and that the sum of twenty-five hundred dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the same—said sum to be taken out of any money in the City Treasury not otherwise appropriated.

On motion of Mr. Torsch, the resolution was read a second time, by special order.

Mr. Ehlers offered the following amendment, which was read :

Insert the word “ Battery Square.”

The question being on the adoption of the amendment, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :

*Yeas*—Messrs. President, Trippe, Bruce, Mills, Ward, Bond, Sommerlock, Berry, Freeberger, Ehlers, Johnson, and Crout—12.

*Nays*—Messrs. Weitzell, Hudgins, Torsch, Price, and Randall—5.

The amendment was declared adopted.

On a motion by Mr. Trippe to reconsider the vote by which the amendment was adopted, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :



*Yeas*—Messrs. President, Weitzell, Trippe, Mills, Torsch, Bond, Randall, Berry, Freeberger, and Ehlers—10.

*Nays*—Messrs. Bruce, Ward, Price, Sommerlock, and Johnson—5.

The vote was declared reconsidered, and on motion of Mr. Trippe, the resolution and amendment were referred to the Joint Standing Committee on Parks.

Mr. Torsch offered the following resolution which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be authorized and directed to lay down flag-stones four feet in width, at the four crossings, on the corner of Howard and Saratoga streets, the expenses of the same to be taken out of the levy of 1871.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

Mr. Torsch offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That Patrick O'Grady be permitted to withdraw petition to build shed on his premises, as he intends building a brick building instead.

Mr. Bond introduced an ordinance, entitled, " An ordinance to regulate the projection of steps and porticoes within the city limits, which was read and laid on the table.

Mr. Bond offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That the Joint Standing Committee on Water be instructed to inquire into the propriety of replacing the delapidated pump, facing the Washington Monument with one of more suitable appearance.

Mr. Berry offered the following ordinance, which was read :

An ordinance to condemn and open Charles street from West street to Hammond street, as laid down on Poppleton's Plat.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for opening Streets be, and they are hereby, authorized and directed to condemn and open Charles street from West street south to Hammond street, as laid down on Poppleton's Plat.

SEC. 2. And be it enacted and ordained, That any person, or body corporate, that may be dissatisfied with the assessment of benefits or damages that shall be made by the said Commissioners, may appeal to the Baltimore City Court, at the time, in the manner, and after like notice by the Register, as provided by article 43, of the Baltimore Code ; and the Collector and Register of the city shall also perform such duties in relation to streets as are required of them by the provision of said article.

SEC. 3. And be it enacted and ordained, That this act shall take effect from the date of its passage.

On motion of Mr. Trippe, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to lay a water main on Fulton street, at the intersection of Fulton and Pratt streets, to the grounds of the West Baltimore Berger Rifle and Schuetzen Association, the expense of the same to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Trippe called up the ordinance known as No. 33 on the file, being "An ordinance to provide for the extension of time of payment by the Pittsburg and Connellsville Railroad Company of the interest on the bonds issued by the city in its favor, and to provide for the funding of the accrued interest," which was read.

The question being on the passage of the ordinance, the ordinance was declared passed and the title approved.

Mr. Bond called up ordinance on page 872 of First Branch Journal, being an ordinance to condemn and open a public square, which was read.

On a motion of Mr. Ward to refer the whole subject to the Joint Standing Committee on Parks the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. Hudgins, Trippe, Bruce, Ward, Torsch, Sommerlock, Randall, Berry, and Ehlers—9.

*Nays*—Messrs. President, Weitzell, Bond, Price, Freeberger, Johnson, and Crout—7.

The motion was declared adopted, and the resolution referred to the Joint Standing Committee on Parks.

Mr. Price called up ordinance known upon the file as No. 32, being the ordinance to exempt from taxation by the Mayor and City Council of Baltimore the bonds of the Western Maryland Railroad Company endorsed by the city, which was read.

The question then being on the passage of the ordinance, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows:

*Yeas*—Messrs. Johnson and Crout—2.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, and Ehlers—14.

The ordinance was declared rejected.

Mr. Trippe moved that the vote by which the Central Park ordinance was referred to the Joint Standing Committee on Parks, be reconsidered.

The Branch refused to reconsider.

On motion of Mr. Ehlers, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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Tuesday, June 13, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell, Trippe, Smyrk, Kernan, Bond, Randall and Crout.

On a motion by Mr. Ehlers to adjourn, the yeas and nays were demanded by Mr. Ehlers, resulting as follows:

*Yeas*—Messrs. President, Ward, Torsch, Berry, Freeberger, Ehlers, and Johnson—7.

*Nays*—Messrs. Hudgins, Bruce, Mills, Price, and Sommerlock—5.

The Branch was declared adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk*.



Wednesday, June 14, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Smyrk and Kernan.

Mr. Berry presented a petition from H. Crow and others for the removal of a saw mill on Peach alley, which was read and laid upon the table.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Highways, to whom was referred the petition for the construction of a sewer from the east line of Fulton avenue at Pressbury street to the present sewer at Baker street, respectfully report that they have given the matter the proper consideration, and believing that the public convenience requires that the same should be done, beg leave to report and recommend the passage of the ordinance herewith submitted:

S. SANDS MILLS,  
JOHN W. TORSCH,  
*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,  
*Second Branch.*

An ordinance entitled "An ordinance to construct a sewer from Pressbury street down Fulton avenue to intersect the sewer at Baker street."

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to construct a sewer from the east building line of Fulton avenue at Press-

bury street down Fulton avenue, to connect with the present sewer at or near Baker street, and shall have constructed such traps and inlets as may be necessary to convey the water from the surface to said sewer in the most approved manner.

SEC. 2. And be it further enacted and ordained, That the sum of four thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the completion of said sewer, traps and inlets, said sum to be taken out of any money in the city treasury not otherwise appropriated.

SEC. 3. And be it further enacted and ordained, That all ordinances, parts of ordinances, or supplemental ordinances inconsistent or at variance with the provisions of this ordinance, be, and the same are hereby, repealed.

On motion of Mr. Mills, the ordinance was read a second time, by special order.

The question being on the passage of the ordinance, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Johnson, and Crout—13.

*Nays*—Messrs. Bond and Ehlers—2.

The ordinance was declared passed, and the title approved.

Mr. Mills, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Fire Department, on the petition of A. Forrester for permission to erect an open frame shed at No. 63 McElderry street, respectfully state,

that on examination of the premises, they discover no reason why the privilege asked for should not be granted. They therefore offer the following resolution and respectfully ask its adoption :

S. SANDS MILLS,  
JNO. W. TORSCH,

*First Branch.*

FREDERICK COOK,  
J. I. GROSS,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to A. Forrester to erect an open frame shed, ten by twelve feet, in the rear of premises No.63 McElderry street, said work to be done at his own expense.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, on petition and resolution referred to them asking for the grading and paving of the beds of Monroe, Payson, Pulaski, and Smallwood streets, at their intersection with Hollins, respectfully state that said work is a very necessary improvement, and would be of service to residents of that section. They therefore offer the following resolution and respectfully ask its adoption :

S. SANDS MILLS,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
WM. H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to pay for the grading and paving of the beds of Monroe, Payson, Pulaski, and Smallwood streets, at their intersection with Hollins street, the precise cost of said grading and paving to be first ascertained by the City Commissioner, provided it does not exceed the sum of sixteen hundred dollars, to be taken out of the appropriations for highways and bridges for 1871.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Philip Hise, asking that the city pay for the grading, paving, curbing, and flagging of Stoddart alley, at its intersection with Mosher street, and the crossings of Mosher street at McCulloh street and Druid Hill avenue, respectfully state that the petition should be favorably considered, and herewith offer the following resolution and ask its adoption:

S. SANDS MILLS,  
J. W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized to pay for the paving, grading, curbing, and flagging of Stoddart alley, at its intersection with Mosher street, and the crossings of Mosher street, at McCulloh street and Druid Hill avenue, the cost of the same to be taken out of the appropriation for highways and bridges for 1871, the cost of said work to be certified to by the City Commissioner.



On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

Mr. Torsch, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Highways, to whom was referred the petition of George P. Frick and others, asking the construction of a sewer connecting with the sewer already constructed on McMechen street to its intersection with, and opening into, John street, and extending along John street to its intersection with Mosher street, and along Mosher street until it intersects Elm street, beg leave to report that they have given the said petition a thorough consideration. In view of the fact that there is a large extent of country through which the stream passing through the sewer already constructed on McMechen street and emptying into John street, and passing thence through Mosher street into Jones' Falls, is a great impediment to the extension of improvements in that section of the city, and that the construction of such sewer would greatly benefit, not only that section of the city, but by increasing the taxable basis of the city, be a general benefit, your committee report favorably on the matter of the petitioners, and offer the following resolution, and ask its adoption:

S. SANDS MILLS,  
JOHN W. TORSCH,  
*First Branch.*

JOHN MILROY,  
WILLIAM H. VICKERY,  
JESSE R. OGLE,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to have the sewer now emptying into John street, at its intersection with McMechen street, extended along John street to its intersection with Mosher street, and from and along Mosher street to its intersection with Elm street, and that the sum of ten thousand (\$10,000) dollars, or so much

thereof as may be necessary, be, and is hereby, appropriated for the purpose, to be paid by the Register of the city on the presentation of the proper order of the City Commissioner.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Health, to whom was referred the resolution of inquiry in regard to the condition of Harford run, as also a resolution appropriating a sum of money to clean the same, beg leave to report that they have consulted with the Health authorities of the city, and find that in the judgment of the Commissioner of Health, as of other persons competent to speak on this subject, with whom they have also consulted, it would seriously endanger the health of the neighborhood in question, if the removal of the filth in the bed of Harford run, below Eastern avenue, were attempted during the summer months. They are, however, fully impressed with the importance of cleansing the stream at the earliest moment it can be done with public safety.

As at any time, the carting of so large a quantity of offensive matter through the streets of the city would be extremely expensive and annoying, your committee is of the opinion that the proper method of removing this deposit, would be by the use of a dredging machine, and scows, and as these appliances are only at the command of the Port Warden, they believe that he would be the proper officer to carry out this work. Until such season, as this can be done with safety, they recommend an appropriation for the purpose of keeping the banks of said run sprinkled with lime, or deodorizer.

They have embodied their opinions in the accompanying resolution.

G. MORRIS BOND,  
JOSEPH G. JOHNSON,  
*First Branch.*

A. W. DUKE,  
JESSE R. OGLE,  
J. I. GROSS,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Port Warden be, and he is hereby, directed, at such time as the weather will permit, with due regard to the public health, to have cleaned all that portion of Harford run, below Eastern avenue, and that the sum of twelve hundred dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the purpose; and that the further sum of two hundred and fifty dollars be, and is hereby appropriated, to be expended under the direction of the Port Warden, in keeping the banks of the stream, within the limits indicated, properly sprinkled with lime, or deodorizers, during the summer months, said appropriation to be taken out of the levy of 1871.

On motion of Mr. Trippe, the resolution was read a second time, by special order.

Mr. Trippe offered the following amendment, which was read:

Instead of "such time as he may seem fit," insert "beginning on or before the 1st day of October next."

The amendment was declared adopted.

Mr. Trippe offered the following amendment, which was read:

Strike out "\$1,200" and insert "\$2,500."

The question being on the passage of the amendment, the yeas and nays were demanded by Mr. Trippe, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe Bruce, Mills, Torsch, Berry, and Johnson—9.

*Nays*—Messrs. Ward, Price, Bond, Sommerlock, Randall, Freebeeger, Ehlers, and Crout—8.

The amendment was declared adopted.

The question recurring on the passage of the resolution, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Torsch, Berry and Johnson—9.

*Nays*—Messrs. Ward, Bond, Price, Sommerlock, Randall, Freeberger, Ehlers, and Crout—8.

The resolution as amended was declared adopted.

Mr. Freeberger, from the Joint Standing Committee on Parks, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Parks, to whom was referred the resolution appropriating three thousand dollars for the improvement of Madison Square, would state that they have examined into the matter, and deem it proper and advisable to make such appropriation, and would respectfully ask the adoption of the following resolution :

J. H. FREEBERGER,  
HENRY WEITZELL,  
JOS. G. JOHNSON,

*First Branch.*

JESSE R. OGLE,  
JOHN MILROY,  
DANIEL CONSTANTINE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have reconstructed the water works in Madison Square, to construct sewers, improve the walks, and repair the keeper's house, in the enclosure, and that the sum of three thousand dollars (\$3,000), or so much thereof as may be necessary, be, and is hereby, appropriated—to be taken out of any money in the treasury not otherwise appropriated.



On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Price introduced the following ordinance, which was read :

An ordinance to provide for the grading and paving of Oliver street, between Cathedral and Decker streets.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and required to have all that part of Oliver street within the limits of direct taxation, and lying between Cathedral and Decker streets, graded and paved, and to assess upon the owners of property on said Oliver street, between Decker and Cathedral streets, their proportionate part of the expense of said grading and paving, as provided by chapter 282 of the Acts of the General Assembly of Maryland of 1870.

SEC. 2. And be it enacted and ordained, That the Collector of the City be, and he is hereby, directed to collect said expenses, when so assessed, from said property owners as other city taxes are collected.

SEC. 3. And be it enacted and ordained, That this ordinance shall take effect from and after the date of its passage.

On motion of Mr. Price, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Randall offered the following resolution, which was read

Resolved by the Mayor and City Council of Baltimore, That the sum of five hundred dollars be, and the same is hereby, appropriated to the General Dispensary of the Maryland University of Medicine, at the corner of Lombard and Green streets, to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and is hereby, granted to C. Oliver O'Donnell, Esq., to sink a well, at his own expense, in front of the Baltimore Gas Company's office on Holliday street. The work to be done under the supervision of the City Commissioner.

On motion of Mr. Berry, the resolution was read a second time by special order, and on motion of Mr. Johnson was referred to the Joint Standing Committee on Water.

Mr. Berry offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to visit the premises of Messrs. John W. Butler & Co., at the corner of Leadenhall and Henrietta streets, as promptly as possible, with the view of abating a nuisance growing out of the fact that their smoke-stacks are lower than the factory buildings, occasioning such quantities of smoke as to make it the general complaint of persons living in that vicinity.

Mr. Torsch offered the following resolution, which was read :

Resolved by both Branches of the City Council of Baltimore, That the joint standing and special committees of the City Council be, and they are hereby, authorized to meet during the recess of the Council.

On motion of Mr. Johnson, the resolution was read a second time by special order.

The question being on the adoption of the resolution, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

Yeas—Messrs. President, Weitzell, Hadgins, Trippe,

Mills, Ward, Torsch, Price, Sommerlock, Berry, Freeberger, Ehlers, Johnson, and Crout—14.

*Nays*—Messrs. Bruce, Bond and Randall—3.

The resolution was declared adopted.

Mr. Freeberger offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have constructed a drinking fountain, with a trough to catch the waste water, for the purpose of watering horses, at the northeast corner of Poppleton and Columbia streets, the expense of the same to be taken out of the water levy for 1871.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Ehlers introduced the following ordinance, which was read :

An ordinance to provide for the grading and paving of Fort avenue from Light street to Hanover street.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed, to have graded and paved all that part of Fort avenue lying between Light street and Hanover street.

SEC. 2. And be it enacted and ordained, That the cost of grading and paving said street shall be assessed on the property bounding thereon, respectively, as provided by ordinance approved June 5, 1870, which authorizes the paving of streets and alleys in the city of Baltimore; and the City Commissioner, the Register and the City Collector are hereby authorized and directed to do all acts and things necessary and proper to carry into effect the provisions of this ordinance.

SEC. 3. And be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Trippe called up ordinance known as No. 29 on the file, entitled "An ordinance supplementary to an ordinance entitled 'An ordinance to provide for the building of a new City Hall, approved August 5, 1868,' " which was read.

On a motion by Mr. Crout to lay the ordinance on the table, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. Mills, Ward, Sommerlock, Randall, Johnson, and Crout—6.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Bond, Price, Berry, Freeberger, and Ehlers—10.

The Branch refused to lay on the table.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Bond, Price, Berry, Freeberger, and Ehlers—10.

*Nays*—Messrs. Mills, Ward, Sommerlock, Randall, Johnson, and Crout—6.

The ordinance was declared passed and the title approved.

On motion of Mr. Trippe, that the Committee on Parks be requested to report at once on the subject of the ordinance known as the Central Park ordinance, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :



*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Bond, Price, Berry, Freeberger, and Crout—13.

*Nays*—Messrs. Sommerlock, Randall, and Ehlers—3.

The resolution was declared adopted.

And immediately thereon, Mr. Freeberger, from the Joint Standing Committee on Parks, submitted the ordinance entitled, "An ordinance to open and condemn a public square." [See page 872, First Branch Journal.]

On motion of Mr. Crout, the ordinance was read a second time, by special order.

The question being on the passage of the ordinance, Mr. Trippe, demanded the yeas and nays, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Bond, Price, Randall, Berry, Freeberger, and Crout—14.

*Nays*—Messrs. Sommerlock and Ehlers—2.

The ordinance was declared passed and the title approved.

Mr. Bruce called up the ordinance known on the file as No. 35, entitled, "An ordinance to increase the compensation of the employees of the City Collector's office, which was read.

The question being on the passage of the bill, the yeas and nays were demanded by Mr. Berry, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Mills, Ward, Torsch, Price, Freeberger, and Johnson—10.

*Nays*—Messrs. Trippe, Bond, Sommerlock, Randall, Berry, and Crout—6.

The ordinance was declared passed and the title approved.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, June 4, 1871.

*Gentlemen of the First Branch :*

We respectfully request you to return to this Branch the resolution granting to J. T. Ford and others permission to lay a certain drain pipe.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Freeberger, the Branch concurred, and the resolution was returned to the Second Branch.

The Second Branch returned the ordinance providing for the pay of the families of policemen who are disabled while on duty, with the following amendment, which was read :

On motion of Mr. Berry, the Branch concurred.

“Strike out the first section of the bill.”

And also the following amendment :

Strike out in lines 6 and 11, the words “five hundred” and insert “one thousand.”

And also the following amendment :

“By violence or accident.”

The question being on the adoption of the amendments, the yeas and nays were called by Mr. Price, resulting as follows :

*Yeas*—Messrs. President and Weitzell—2.

*Nays*—Messrs. Trippe, Bruce, Mills, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, and Crout—14.

The Branch refused to concur in the amendments.

Mr. Price moved that the vote by which the first amendment to the bill was concurred in, be reconsidered.

The motion was declared adopted.

Mr. Price moved that a committee of conference be appointed on the disagreeing votes of the two Branches in reference to the ordinance.

The motion was declared adopted, and the chair named Messrs. Price, Bruce and Ehlers as committee on part of this Branch.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of H. Stulzenbach, have examined the subject and find that the horse of said Stulzenbach was injured to an extent that caused his death by the fire engine No. 1, and that said horse cost the said Stulzenbach over two hundred dollars ; we think it fair that the above named sum should be refunded to him.

BENJAMIN PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

J. I. GROSS,  
FREDERICK COOK,  
CHAS. G. KERR,

*Second Branch.*

Resolved, That the City Register be, and he is hereby, authorized and directed to pay to H. Stulzenbach the sum of two hundred dollars out of any money in his hands not otherwise appropriated ; provided said Stulzenbach shall give a proper receipt therefor, and shall file with said Reg-

ister a full release and discharge to the city from all claims of damage arising thereunder.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the joint special committee of conference, to whom was referred the disagreeing vote of the two Branches, in reference to the salary of the Deputy City Register, submitted the following report and accompanying ordinance, which were read :

The joint special committee of conference on the disagreeing votes of the two Branches increasing the pay of the Deputy Register have taken the subject into consideration, and beg leave to make report as follows :

They think the responsibilities of this office equal if not superior to that of almost any other in the department, and the labor connected with it of such a character as to demand a salary commensurate with it. His duties in the absence of the Register, when all the work and responsibilities devolve upon him, we are sure, have been faithfully performed, and the salary named by the Second Branch, we think, not too high. We therefore report the following ordinance, and recommend its adoption:

BENJ. PRICE,  
JOS. G. JOHNSON,  
*First Branch.*

H. McCOY,  
CHAS. G. KERR,  
FREDERICK COOK,  
*Second Branch.*

An ordinance entitled an ordinance to increase the salary of the Deputy Register of the City.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the salary of the Deputy Register of the City be \$1,800 per annum.



SEC. 2. Be it further enacted and ordained, That all ordinances or parts of ordinances inconsistent with the provisions of the ordinance be, and the same are hereby, repealed, and that this ordinance shall take effect from and after the date of its passage.

On motion of Mr. Johnson, the ordinance was read a second time, by special order.

On a motion by Mr. Sommerlock to lay the ordinance on the table, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. Weitzell, Bond, Sommerlock, Berry, and Ehlers—5.

*Nays*—Messrs. President, Hudgins, Bruce, Mills, Ward, Torsch, Price, Freeberger, and Johnson—9.

The Branch refused to lay on the table.

The question being on the passage of the ordinance, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Mills, Ward, Torsch, Price, Freeberger, and Johnson—10.

*Nays*—Messrs. Bond, Sommerlock, Berry, and Ehlers—4.

The ordinance was declared passed and the title approved.

Mr. Torsch called up ordinance known on the file as No. 34, entitled "An ordinance to lay railway tracks on German, Charles, Sharp and other streets in the city of Baltimore," which was read.

On a motion by Mr. Mills to lay the ordinance upon the table, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. Hudgins, Mills, Sommerlock, Berry, Freeberger, and Ehlers—6.

*Nays*—Messrs. President, Weitzell, Trippe, Bruce, Ward, Torsch, Bond, Price, Randall and Johnson—10.

The Branch refused to lay upon the table.

On a motion by Mr. Bond to adjourn, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. Weitzell, Hudgins, Mills, Sommerlock, Berry, Freeberger, and Ehlers—7.

*Nays*—Messrs. President, Bruce, Ward, Torsch, Bond, Price, Randall, and Johnson—8.

The Branch refused to adjourn.

On motion of Mr. Randall, the ordinance was laid upon the table and made the special order of the day for tomorrow afternoon at 6 o'clock.

On a motion by Mr. Weitzell to adjourn, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Sommerlock, Randall, and Ehlers—6.

*Nays*—Messrs. Trippe, Bruce, Mills, Ward, Torsch, Bond, Price, Berry, Freeberger, and Johnson—10.

The following ordinance was received from the Second Branch and read:

An ordinance authorizing the Grahamite Asphalt Pavement Company of Baltimore to lay the Grahamite Asphalt Pavement on South street in the City of Baltimore.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Grahamite Asphalt Pavement Company of Baltimore, of which Edward W. Robinson is President, be, and they are hereby, authorized to lay the Grahamite Asphalt Pavement on South street, in said city, between Lombard and Baltimore streets, the same

to be done under the direction of the City Commissioner, under the provisions of the Baltimore City Code regulating the paving of streets, &c., &c.

SEC. 2. And be it enacted and ordained, That this ordinance shall take effect from and after the date of its passage, and that all ordinances or parts of ordinances inconsistent herewith, be, and the same are hereby, repealed.

On motion of Mr. Hudgins, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

A report from the Joint Standing Committee on Bridges, with the following resolution, was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to have a wagon bridge erected over Jones Falls at Centre street, and that the sum of twenty-five hundred dollars, or so much thereof as may be necessary, be, and is hereby, appropriated for the above purpose, to be paid by the Register of the city on the presentation of the proper order of the City Commissioner.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on Ways and Means, with the following ordinance, was received from the Second Branch and read :

An ordinance to amend section 12, article 30, of Baltimore City Code, title, "licenses," sub-title, "Amusements."

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That section 12, article 30, of Baltimore City Code, title, "Licenses," sub-title, "Amusements," be, and the same is hereby, repealed and re-enacted, as follows, viz :

"The owners or lessees of any Hall or Theatre, on the

payment to the Comptroller of fifty dollars, shall have the occupants of his or their hall or theatre exempted from license for one year.”

SEC. 2. And be it further enacted and ordained, That this ordinance shall take effect from and after the date of its passage.

On motion of Mr. Sommerlock, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

A report of the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch, and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to raise the grade of West street, between Leadenhall and Hanover three feet, and to place a sewer thereunder of sufficient dimensions to carry off the water from said street, and that the sum of three thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated therefor, the same to be taken out of any money in the treasury, not otherwise appropriated.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, directed to have gas-mains laid on Somerset street, from Chase street south.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :



Whereas on account of the sewer emptying into McClure's dock, said dock has been the receptacle of a large quantity of filth, &c.; and whereas in a sanitary point of view it is detrimental to the health of the city; and whereas from this cause the water in said dock has become quite shallow, so much so that vessels find difficulty in navigating said dock; and whereas said sewer is a city sewer, whereby the city is responsible for the filling up of said dock; now, therefore, be it

Resolved by the Mayor and City Council of Baltimore, That the Port Warden be, and he is hereby, authorized and instructed to clean out and deepen McClure's dock, from the head of the dock to the basin, the same to be done at the expense of the city.

On motion of Mr. Berry, the resolution was read a second time, by special order.

Mr. Johnson offered the following amendment, which was read:

At end of resolution: "the expense of the same to be taken out of the appropriation for the harbor."

The amendment was declared adopted.

Mr. Berry offered the following amendment, which was read:

Add: "the Port Warden be instructed to collect for cleaning in front of all private property from persons owning the same."

The amendment was declared adopted.

The question recurring on the adoption of the resolution, the resolution as amended was declared adopted.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore,

That the City Commissioner be authorized and directed to have paved the intersection of Presstman street and Wood-year alley, the same to be paid for out of any money in the treasury not otherwise appropriated.

On motion of Mr. Weitzell, the resolution was read a second time by special order and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be authorized and directed to have gas mains laid on Franklin street, from Carey street to Gilmor street.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

A report from the Joint Standing Committee on City Property, with the following ordinance, was received from Second Branch and read :

An ordinance to provide for drainage of the new City Hall.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Building Committee of the new City Hall be, and they are hereby, authorized to lay a cast iron drainage pipe, of such size as they may deem best fitted for the purpose, from the new City Hall to McClure's dock, through such public streets or alleys as may be designated by the City Commissioner.

SEC. 2. And be it enacted and ordained, That the said drainage pipe shall be laid under the supervision of the City Commissioner.

SEC. 3. And be it enacted and ordained, That the said drainage pipe shall be used exclusively for the new City Hall, and that it shall not be tapped by or for any one, or for any other purpose.

SEC. 4. And be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Ward, the ordinance was read a second time, by special order, title approved and the ordinance declared passed.

The following ordinance was received from the Second Branch and read :

An ordinance to repeal sections 31 and 32 of Article 8 of the Baltimore City Code.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That sections 31 and 32 of Article 8 of the Baltimore City Code be, and the same are hereby, repealed.

SEC. 2. And be it further enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order.

On a motion by Mr. Bond to lay the ordinance on the table, the yeas and nays were demanded by Mr. Ward, resulting as follows :

*Yeas*—Messrs. Hudgins, Bond, Sommerlock, Berry, Freeberger, and Ehlers—6.

*Nays*—Messrs. President, Weitzell, Trippe, Bruce, Mills, Ward, Torsch, Price, Randall, and Johnson—10.

The Branch refused to lay on the table.

On a motion by Mr. Trippe to strike out the enacting clause, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. Bond, Sommerlock, Ehlers, and Johnson—4.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Price, Randall, Berry, and Freeberger—12.

The Branch refused to strike out the enacting clause.

On a motion a motion by Mr. Bond to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. Hudgins, Bond, Sommerlock, Randall, Berry, and Ehlers—6.

*Nays*—Messrs. President, Weitzell, Trippe, Bruce, Mills, Ward, Torsch, Price, Freeberger, and Johnson—10.

The Branch refused to adjourn.

On a motion by Mr. Bond to postpone further consideration of the ordinance and make it the order of the day for to-morrow (Thursday) afternoon at 6½ o'clock, the yeas and were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. Hudgins, Bond, Sommerlock, and Ehlers—4.

*Nays*—Messrs. President, Weitzell, Trippe, Bruce, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, and Johnson—12.

The motion was declared lost.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Price, Randall, and Berry—11.

*Nays*—Messrs. Bond, Sommerlock, Freeberger, Ehlers and Johnson—5.

The ordinance was declared passed and title approved.



On a motion by Mr. Bond to adjourn, the yeas and nays were demanded by Mr. Hudgins, resulting as follows:

*Yeas*—Messrs. Weitzell, Hudgins, Bond, Sommerlock, Randall, and Berry—6.

*Nays*—Messrs. President, Trippe, Bruce, Ward, Torsch, Price, Freeberger, Ehlers, and Johnson—9.

The Branch refused to adjourn.

A report of the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch and read:

The Joint Standing Committee on Highways, to whom was referred a resolution authorizing the City Commissioner to have such changes made in the gutters and grade of the streets at the intersection of St. Paul and Centre streets, as in his judgment may be necessary for the proper regulation of the flow of water, &c., and to have said gutters covered with suitable iron plates, respectfully report that they have visited the locality in question, and in their judgment deem said alteration and work absolutely necessary, and report the following resolution, and ask its adoption:

S. SANDS MILLS,  
G. MORRIS BOND,  
JNO. W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, instructed to have proper iron plates placed over the gutters at the intersection of Centre and St. Paul streets, and to cover the openings of the sewers at that point, and make such changes in the grade of the streets as may be necessary for the practical accomplishment of this work.

Resolved, That the cost of said work shall be taken out of any money not otherwise appropriated.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

The following preamble and resolution were received from the Second Branch and read :

Whereas, The Mayor and City Council of Baltimore have recently accepted the hospitalities of the city of Pittsburgh, tendered to them for the occasion of the formal opening of the Pittsburgh and Connellsville Railroad ;and whereas, in view of the valuable commercial intercourse about to be established between the two cities, it is important that their respective authorities should be fully acquainted with their relative interests ; be it

Resolved by the Mayor and City Council of Baltimore, That the hospitalities of the city of Baltimore be, and the same are hereby, extended to the Mayor and City Council of Pittsburgh.

And be it further resolved, That a committee of three members from each Branch be appointed by the Chair to communicate with the Pittsburgh authorities, and ascertain when it may be their pleasure to visit Baltimore, and to make all necessary arrangements for their reception.

On motion of Mr. Price, the preamble and resolutions were read a second time, by special order, and adopted.

The Chair appointed as committee on part of this Branch, Messrs. Trippe, Price and Johnson.

The following resolutions were received from the Second Branch respectively endorsed " Adopted :"

Resolution for removal of pump-stock at the northeast corner of Eastern avenue and Spring street.

Resolution appropriating \$12,000 for the repair of certain school-houses.

Resolution granting supply of water to western Scheutzen Park.

Resolution in favor of William W. Conaway.

Resolution in favor of John Horst.

Resolution granting permission to John T. Ford and others to lay a drain pipe on certain streets.

Resolution appropriating \$10,000 for the expenses of the National Commercial Convention.

Resolution in favor of J. Henry Snyder.

Resolution to lay flag-stones on Pratt street at the intersection of Penn.

Resolution in favor of Thomas Rutter.

Resolution to remove old pump-stock in front of No. 100 South Ann street.

Resolution to place fire-plug on the corner of Light and Randle streets.

Resolution to prevent sale of city's interest in the Baltimore and Ohio Railroad Company.

Resolution in favor of Carey & Co.

Resolution for the paving and grading of Monroe and other streets.

Resolution for the paving, grading, &c., of Stoddart alley.

Resolution appropriating \$500 for the General Dispensary of the University of Maryland.

Resolution appropriating \$3,000 for the improvement of Madison Square.

Resolution to extend sewer along John street to its intersection with Mosher street.

Resolution in reference to the investigation of charges made by the Abbott Iron Company.

The Second Branch returned the following ordinances respectfully endorsed "passed:"

An ordinance for sewer at Pressbury street and Fulton avenue.

An ordinance for grading and paving Oliver and Decker streets.

An ordinance for grading and paving Fort avenue, from Light to Hanover street.

An ordinance for the extension of the payment of interest by the Pittsburgh and Connellsville Railroad Company.

An ordinance to condemn and open Charles street from West street to Hammond street.

An ordinance to increase the salaries of the officers of the Police and Fire Alarm Telegraph.

An ordinance supplementary to the Citizens' Passenger Railway ordinance.

An ordinance providing for the improvement of Jones' Falls.

An ordinance to lease the Canton market.

An ordinance for the payment of interest on the bonds of the Western Maryland Railroad.

An ordinance to condemn and open a public square.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Thursday, June 15, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Kernan.

Mr. Crout presented a petition from Andrew Jamison and others against driving cattle through the public streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Freeberger, from the Joint Standing Committee on Parks, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Parks, to whom was referred the resolution providing music for the different Parks, after giving the matter a careful consideration, respectfully recommend the adoption of the following resolution :

J. H. FREEBERGER,  
HENRY WEITZELL,

*First Branch.*

JESSE R. OGLE,  
JOHN MILROY,  
DANIEL CONSTANTINE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Mayor be, and he is, authorized to employ a band of music, to play at Patterson and Druid Hill Parks, and Battery Square, during the months of June, July, August, and September, of the present year ; at Druid Hill Park on Wednesdays and Saturdays, Patterson Park on Tuesdays and Thursdays, and at Battery Square on every Fridays during said months ; and that the sum of twenty-five hun-

dred dollars, or so much thereof as may be necessary, be, and is, hereby appropriated for the same; said sum to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

Mr. James H. Cosgrove, Clerk to the Mayoralty, appeared at the bar of the Branch with a message from his Honor the Mayor.

Mr. Freeberger, from the Joint Standing Committee on Parks, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Parks, to whom was referred the ordinance, entitled "An ordinance for the extension of Patterson Park," would state that they have examined into the matter and believe that the Eastern section of the city needs a park of sufficient dimensions to accommodate the large and growing population, and to furnish to its citizens a resort from the heat and dust of the city, and they would recommend the immediate extension of Patterson Park, and would respectfully ask the passage of the accompanying ordinance.

J. H. FREEBERGER,  
HENRY WEITZEL,

*First Branch.*

JESSE R. OGLE,  
JOHN MILROY,  
DANIEL CONSTANTINE,

*Second Branch.*

An ordinance for the extension of Patterson Park.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Park Commissioners be, and they are hereby, authorized and directed

to purchase or condemn the following described land for the extension of Patterson Park, that is to say: commencing at the southwest corner of the said park at Gough street, and running thence southerly, binding on the east side of Patterson Park avenue to Eastern avenue, thence easterly, binding on the north side of said Eastern avenue to Potomac street, thence on the west side of Potomac street northerly to Baltimore street, and thence westerly and binding on the south side of Baltimore street to the northeast corner of the said park at Luzerne street.

SEC. 2. And be it enacted and ordained, That the Register of the city be, and he is hereby, authorized and directed to issue the bonds of the city to an amount not exceeding two hundred thousand dollars, from time to time, as the same may be required for the purchase or condemnation and improvement of said lands, the proceeds from the sale of which bonds shall be used for the purchase of the property to be embraced in the extension hereby contemplated and for the improvement of the same, and for no other purpose whatever; and provided further, that this ordinance shall not go into effect until the issue of the said bonds shall be authorized by an act of the General Assembly of Maryland, nor until this ordinance shall be approved by the votes of a majority of the legal voters of the city of Baltimore, cast at the time and places hereinafter designated.

SEC. 3. And be it enacted and ordained, That the said bonds shall be issued in sums of not less than one hundred dollars each, redeemable in twenty years, and bearing interest of six per cent. per annum, payable quarterly, and transferable as other city bonds.

SEC. 4. And be it enacted and ordained, That this ordinance shall be submitted to the legal voters of the city of Baltimore for their approval or disapproval at an election to be held on the third Thursday in the year, eighteen hundred and seventy-two, after the passage of the Enabling Act by the Legislature, on which day polls shall be opened in the various precincts of the said city at the usual places of voting in said precincts, said polls to be opened and closed at the same time as provided by law

for other elections ; at which said election each of the said voters that shall approve the adoption of this ordinance shall deposit a ticket or ballot, on which shall be written or printed the words, "For the extension and improvement of Patterson Park ;" and each of the said voters that shall be opposed to the adoption of this ordinance shall deposit a ticket or ballot upon which shall be written or printed the words, "Against the extension and improvement of Patterson Park."

SEC. 5. And be it enacted and ordained, That immediately after the closing of the polls, the Judges of Election in the several precincts shall count the ballots deposited at said election, and shall make return to the Mayor of the City of Baltimore, of the number of votes cast "For the extension and improvement of Patterson Park," and the number of votes cast "Against the extension and improvement of Patterson Park," and if a majority of the said votes shall have been cast in favor of the ordinance, the said Mayor shall certify the fact to the President of the respective Branches of the City Council, and this ordinance shall take effect from the date of the said certificate.

SEC. 6. And be it enacted and ordained, That a copy of this ordinance, and notice of the time of holding the said election, shall be published in at least four of the daily newspapers of the city of Baltimore, until said election.

SEC. 7. And be it enacted and ordained, That the City Comptroller be, and he is hereby, authorized and directed to have printed tickets of the description mentioned in section 4 of this ordinance, and placed at the polls of the said city, on the day of the said election ; and that the Register be, and he is hereby, authorized and directed to pay the expenses of the said printing and publication provided for in the preceding section, out of any money in the treasury not otherwise appropriated.

SEC. 8. And be it enacted and ordained, That one-tenth of the par value of said bonds shall be invested



by the Commissioners of Finance in the bonds of the city of Baltimore, or in bonds for which the city is liable, by endorsement, as a sinking fund for the redemption of the bonds issued under the provisions of this ordinance.

SEC. 9. And be it enacted and ordained, That after deducting from the revenue derived from the city passenger railways, the interest on the present issue of the park stock under the ordinance to provide for a public park or parks, and the interest on the stock herein authorized to be issued, and the sinking fund therein and herein provided for, and the further sum of ten thousand dollars annually, for the maintenance of the parks, the surplus of said revenue shall be applied, as far as necessary, to reimburse the city the interest upon the bonds heretofore and hereby authorized to be issued; provided, that not less than one-fifth of the said ten thousand dollars and of the excess of annual receipts from the passenger railways over the amount necessary to provide for the interest on the bonds, heretofore and hereby authorized to be issued, shall be expended in the improvement and preservation of Patterson Park.

SEC. 10. And be it enacted and ordained, That this ordinance shall take effect from the day of its passage.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order.

The question being on the passage of the ordinance, the yeas and nays were demanded by Mr. Randall, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Bond, Price, Sommerlock, Freeberger, Ehlers, Johnson, and Crout—15.

*Nays*—Messrs. Randall and Berry,—2.

The ordinance was declared passed and title approved.

The hour of 6 o'clock having arrived, being the hour for

the consideration of the ordinance to lay railway tracks on German, Charles, Sharp, and other streets, the President accordingly announced the special order of the day, which was read, and, on motion of Mr. Torsch, laid on the table.

Mr. Mills, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Fire Department, to whom was referred the petition of James A. Moore and others, asking the Council to make some provision against accident which might occur by reason of a pyrotechnic establishment now existing in the neighborhood of Fayette and Wolfe streets, respectfully report that after having visited the locality named in said petition, find it a thickly settled section of the city, many houses having been lately erected and in course of erection, all of which are rendered insecure by reason of the same establishment. Your committee knowing that such combustible and inflammable material as is used in establishments of this character are always calculated to endanger both life and property, respectfully state that, in their opinion, the only effective means of getting rid of the danger complained of is by requesting the Mayor to direct the removal of the same.

S. SANDS MILLS,  
JOHN W. TORSCH,  
J. C. RANDALL,

*First Branch.*

FREDERICK COOK,  
DANIEL CONSTANTINE,

*Second Branch.*

Resolved by both Branches of the City Council of Baltimore, That his Honor the Mayor be requested to direct William Bond, pyrotechnist, to remove his pyrotechnic manufactory from Durham and Wolfe streets, between Fayette and Hampstead streets, in accordance with resolution heretofore enacted.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

A petition from Henry M. Warfield, administrator, asking the the appointment of a joint special committee to consider, during the recess of the Council, the claim of the heirs of the late Daniel Warfield on account of the interference with the use of the water power appertaining to their mill on North street, with the following message, were received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, June 15, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, the appointment of a joint special committee of three members from each Branch on the accompanying communication, and name on the part of this Branch Messrs. Kerr, Duke, and Milroy.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Trippe the Branch concurred.

The Chair appointed Messrs. Trippe, Sommerlock, and Crout as committee on the part of this Branch.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read.

The Joint Standing Committee on Ways and Means, to whom was referred an ordinance repealing the ordinance, known as No. 93, approved October 22, 1864, authorizing the sale of any of the city securities, in the discretion of the Finance Commissioners, respectfully report that the ordinance in question having been passed for a specific object, which no longer exists, and the further fact that this body has under its control and management, to a great extent, the finances of the city, which are at present in a

most healthy condition, and no necessity existing for such sale, which contingency, if it arises, can be communicated to this body, and if valid would, no doubt, be approved by it, respectfully report the following ordinance and ask its adoption :

A. C. TRIPPE,  
BENJAMIN PRICE,  
H. CROUT,

*First Branch.*

CHAS. G. KERR, •  
WM. H. VICKERY,

*Second Branch.*

An ordinance to repeal ordinance No. 93, approved October 22, 1864, entitled " An ordinance to authorize the Commissioners of Finance to sell and reinvest the stock or bonds held by the city in any railroad or other company, in city, State, or United States securities," and incorporated into the City Code of 1869, Article 411, entitled " Stocks, Loans, and Finances," sub-title " Commissioners of Finance, Section 16."

SECTION 1. And be it enacted and ordained by the Mayor and City Council of Baltimore, That ordinance No. 93, approved October 22, 1864, entitled " An ordinance to authorize the Commissioners of Finance to sell and reinvest the stock or bonds held by the city in any railroad or other company, in city, State, or United States securities," incorporated into the City Code of 1869, Article 411, entitled " Stocks and Loans," sub-title " Commissioners of Finance, Section 16," be, and the same is hereby, repealed.

SEC. 2. Be it further enacted and ordained, That this ordinance take effect from and after the date of its passage.

On motion of Mr. Price, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Trippe moved that the vote by which the ordinance,



known as ordinance 32 on the file, being an ordinance to exempt from taxation the bonds of the Western Maryland Railroad Company, endorsed by the Mayor and City Council, was rejected, be reconsidered, on which the President requested the yeas and nays, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Ward, Torsch, Bond, Price, Sommerlock, Berry, Ehlers, Johnson, and Crout—13.

*Nays*—Messrs. President, Mills, Randall, and Freeberger—4.

The vote was therefore declared reconsidered.

The question being on the passage of the ordinance, the yeas and nays were requested by the President, resulting as follows :

*Yeas*—Messrs. Weitzell, Trippe, Bruce, Smyrk, Torsch, Price, Sommerlock, Randall, Berry, and Johnson—10.

*Nays*—Messrs. President, Hudgins, Mills, Ward, Bond, Freeberger, Ehlers, and Crout—8.

The ordinance was declared passed, and the title approved.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to lay flag-stones, four feet wide, in and across the centre of the squares on Broadway, between Canton avenue and Baltimore street, the expenses of the same to be taken out of the levy for 1871.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

By the permission of the Branch, Mr. Smyrk, who was

absent at the time of the calling of the vote on the Patterson Park ordinance, was permitted to record his vote in the affirmative.

Mr. Torsch offered the following resolution, which was read and rejected :

Whereas, a vacancy has existed in this Council for the past thirty days, by the death of I. Harry Weaver, late representative of the Nineteenth Ward, and no election having yet been ordered to fill said vacancy; therefore be it

Resolved by the First Branch of the City Council, That the Mayor be, and he is hereby, requested to issue his proclamation, in accordance with the Code, to fill said vacancy from said ward.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Printer be, and is hereby, authorized and directed to do such printing as may be required by the Fire Inspector for the use of his office, and the same to be paid by the Mayor and City Council of Baltimore, not to exceed the sum of \$200.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to raise the grade of Baltimore street, at the intersection of Schroeder street, so that the water will flow into the sewers adjoining, and the sum of one hundred dollars, or so much thereof as may be necessary, be, and is hereby, appropriated out of any money in the treasury unappropriated, for the expense of the same.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to increase the capacity of the water mains leading to McHenry street, west of Poppleton, so as to afford a sufficient supply of water to that section of the city, the expense of the same to be taken out of any unappropriated money in the city treasury.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order.

Mr. Bond moved to amend by inserting the following words, to come in at the end of the resolution, which were read and adopted :

“ Provided the cost of said change shall not exceed the sum of \$700.”

The question recurring on the adoption of the resolution, it was declared adopted.

Mr. Johnson offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the Water Engineer be requested to furnish this Branch with an estimate of the probable cost of extending the water mains on McHenry, Pratt, Wilkens avenue, Lombard, Hollins, and Frederick avenue, to the city limits.

Mr. Crout introduced the following ordinance, which was read :

An ordinance to provide for the lease of a lot and the erection thereon of a School building, for the use of Male and Female Grammar School No. 5.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor and the Presi-

dent of the Board of Public School Commissioners of Baltimore be, and they are hereby, authorized to lease a suitable lot, situate in the Eighth Ward, in Baltimore city, for the purpose of erecting thereon a school building, for the use of Male and Female Grammar School No. 5.

SEC. 2. And be it further enacted and ordained, That immediately after the lease of a lot, as provided in the first section of this ordinance, the City Commissioner shall proceed to erect on said lot a building, at a cost not exceeding eighteen thousand dollars.

SEC. 3. And be it further enacted and ordained, That the Mayor and the President of the Board of Public School Commissioners aforesaid shall sell, after giving public notice, by advertisement in some newspaper or newspapers published in Baltimore city, of the time, terms, and manner of sale, to the highest bidder, at public auction, the lot and buildings situate at the northwest corner of Monument and Forrest streets, and the proceeds, or so much thereof as may be necessary, shall be devoted to defray the expense of erecting the building mentioned in the second section of this ordinance.

SEC. 4. And be it further enacted and ordained, That the sum of nine thousand dollars, if necessary, or so much thereof as may be necessary, be, and the same is hereby, appropriated, in addition to the proceeds of sale mentioned in the third section, for the purpose of paying the expense of erecting the building provided for in this ordinance.

SEC. 5. And be it further enacted and ordained, That this ordinance shall take effect from its passage.

On motion of Mr. Crout, the ordinance was read a second time, by special order.

Mr. Trippe offered the following amendment, which was read and adopted :

“ At not more than \$6 per front foot.”



The question recurring on the passage of the ordinance, the title was approved and the ordinance declared passed.

The President presented the following communication from his Honor the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, June —, 1871.

*To the Hon. President and Members of the  
First Branch of the City Council :*

GENTLEMEN :

I have the honor to inform you that the following named ordinances and resolutions, which originated in your Branch, have been duly signed by me and placed on file in the office of the City Register, according to law.

An ordinance to declare the bed of Duncan alley, between Pratt and Gough streets, a public highway ; approved May 26, 1871.

An ordinance for the benefit of Druid Hill Park ; approved May 26, 1871.

An ordinance to change and extend the Port Warden's line in the Cove at Canton ; approved May 26, 1871.

An ordinance entitled " An ordinance to construct a sewer from the intersection of Oliver and Decker streets to Jones' Falls," and repealing all ordinances conflicting therewith ; approved June 7, 1871.

An ordinance to condemn and open Presstman street, from Gilmore to Monroe street ; approved June 10, 1871.

An ordinance to provide for the appointment of an Inspector of Buildings, and to prescribe his duties ; approved June 10, 1871.

An ordinance to condemn and open Eager street, from Gay to Bond street ; approved June 10, 1871.

An ordinance to declare the bed of Stoddard alley, from the north side of Mosher street, a public highway ; approved June 10, 1871.

An ordinance to declare the bed of Madeira alley, between Pratt and Lombard streets, a public highway ; approved June 10, 1871.

An ordinance to condemn and widen Eutaw street, between Laurens street and North avenue ; approved June 12, 1871.

An ordinance for the condemnation of Morris alley as laid down on Poppleton's plat, through the grounds formerly owned by Mrs. Jane Clendenin ; approved June 10, 1871.

An ordinance to condemn and open Mount street, from the south side of Fayette street to the north side of Baltimore street ; approved June 12, 1871.

An ordinance to repeal section one of ordinance No. 94, approved October 25, 1870, and re-enact the same ; approved June 12, 1871.

An ordinance authorizing the Mayor to accept from Wm. Wilkins the fee-simple title to certain streets ; approved June 12, 1871.

An ordinance to regulate smoke-stacks, chimneys, &c. ; approved June 12, 1871.

An ordinance entitled " An ordinance to allow the Baltimore and Potomac Railroad Company to lay a temporary railroad track from the Northern Central Railway, at its crossing of North Boundary avenue, to the intersection of Oliver or McMechen streets, with the said North Boundary avenue ; approved June 12, 1871.

An ordinance to repeal so much of an ordinance entitled " An ordinance to condemn and close the Liberty road, from Gilmor street to Fulton street, and to condemn and open in lieu thereof, a street of the width of sixty feet, located two hundred and seventy-six feet south of Baker street, approved November 17, 1870," as authorizes and empowers the Commissioners for Opening Streets to condemn and open a street of the width of sixty-feet, as therein set forth ; approved June 12, 1871.

An ordinance to increase the salary of the Register of the city ; approved June 15, 1871.

Resolution appropriating five hundred dollars for the improvement of Battery Square ; approved May 23, 1871.

Resolution authorizing Frederick Wehr to construct a drain ; approved May 23, 1871.

Resolution to have a fire-plug erected on the southwest corner of Washington street and Eastern avenue ; approved May 26, 1871.

Resolution for a pavement opposite the Richmond Market-house ; approved May 26, 1871.

Resolution in favor of Wm. Schloss ; approved May 26, 1871.

Resolution authorizing Thornton Connolee to construct a sewer on the corner of East Baltimore street and Castle alley ; approved May 26, 1871.

Resolution authorizing Warner Knoble to erect a patent pump ; approved May 26, 1871.

Resolution for the removal of a pump on the north side of Mulberry street ; approved May 26, 1871.

Resolution authorizing the City Commissioner to have placed wooden seats in the Eastern Springs, and appropriating three hundred dollars therefor ; approved May, 26, 1871.

Resolution in favor of Henry McCaffrey ; approved May 26, 1871.

Resolution appropriating one hundred and fifty dollars for the construction of book cases in the office of the Clerk of the Baltimore City Court ; approved May 26, 1871.

Resolution authorizing the changing of the grade at the southwest corner of Republican and Saratoga streets ; approved May 26, 1871.

Resolution for gas mains on Aisquith street, from John street to Point lane ; approved May 26, 1871.

Resolution authorizing S. M. Gibbons to place a new lamp on the corner of Howard and Saratoga streets, and to letter the same ; approved May 26, 1871.

Resolution looking to the purchase of additional land for the purposes of Druid Hill Park ; approved May 26, 1871.

Resolution to lay a gas main on West Baltimore street, between Fulton and Calverton streets ; approved May 26, 1871.

Resolution to have the old pump on the corner of Central avenue and Eager street removed ; approved May 26, 1871.

Resolution authorizing Francis J. Ruth to erect a kiln for burning oyster shells at Canton ; approved May 26, 1871.

Resolution appropriating three hundred and fifty dollars for a fire alarm box at the southeast corner of Eden and Chase streets ; approved May 26, 1871.

Resolution for the repair of pump on Fell street ; approved May 26, 1871.

Resolution appropriating twenty dollars for the removal of the old flag pole in front of Broadway Institute ; approved May 26, 1871.

Resolution for gas mains on McElderry street, from Bond street to Broadway ; approved May 26, 1871.

Resolution to lay a gas main on Stockton street, from Cooke street to Presstman street ; approved May 26, 1871.

Resolution for gas mains on Bank street ; from Chester to Choptank street ; approved May 26, 1871.

Resolution to lay gas mains on Cross street, from Warner to Russell street ; approved May 26, 1871.

Resolution for gas mains on Garden street, from Mosher to Wilson street ; approved May 26, 1871.

Resolution for gas mains on Garden street, between Madison and Monument streets ; approved May 26, 1871.

Resolution for the repair of pump on the northwest corner of Baltimore and Republican streets ; approved May 26, 1871.

Resolution appropriating four thousand eight hundred



dollars to carry into effect resolution No. 108, approved May 25, 1871, in relation to the purchase of Winans' Chapel; approved May 29, 1871.

Resolution appropriating one thousand dollars for the extension of Battery Square; approved June 9, 1871.

Resolution authorizing Wm. Colton and E. J. Lawrence to erect a second story frame addition; approved June 9, 1871.

Resolution for a lamp on the southwest corner of Canal and Fayette streets; approved June 9, 1871.

Resolution to permit John Meeth to erect a pump; approved June 9, 1871.

Resolution appropriating fourteen hundred dollars for the erection of fire alarm telegraph poles and wires; approved June 9, 1871.

Resolution authorizing Wendall Bollman to erect a bath-house; approved June 10, 1871.

Resolution appropriating four thousand dollars for Chas. Dunn for services rendered at the Richmond Market-house; approved June 10, 1871.

Resolution to remove certain pump stocks; approved June 10, 1871.

Resolution for gas mains in certain streets; approved June 10, 1871.

Resolution to have old pump stock removed from the corner of Calvert street and Bank lane, and the corner of Sharp and Conway streets; approved June 10, 1871.

Resolution in favor of the late I. Harry Weaver; approved June 10, 1871.

Resolution to celebrate the Fourth of July, 1871; approved June 10, 1871.

Resolution appropriating one hundred and forty-nine dollars and thirty cents, in favor of John S. and R. S. Carswell; approved June 10, 1871.

Resolution appropriating five dollars and sixty-eight cents in favor of F. Livingstone; approved June 10, 1871.

Resolution authorizing John G. Dillehunt to sink a well ; approved June 10, 1871.

Resolution directing the Health Commissioner to investigate the condition of Johnson street ; approved June 10, 1871.

Resolution appropriating three hundred dollars for the improvement of Mount Vernon Square ; approved June 10, 1871.

Resolution for the repair of pump on the corner of Paca and Barre streets ; approved June 10, 1871.

Resolution authorizing Adam Shaeffer, and others, to construct a sewer ; approved June 10, 1871.

Resolution appropriating five hundred dollars for indexing the judgment of the Superior Court ; approved June 10, 1871.

Resolution for the repair of pump at Saratoga and Fremont streets ; approved June 10, 1871.

Resolution for a new pump on the corner of Forrest and Orleans streets ; approved June 10, 1871.

Resolution for flagging at the corner of Eutaw and Biddle streets ; approved June 10, 1871.

Resolution for gas mains on Garden street ; approved June 10, 1871.

Resolution for the repair of pump at Caroline street and Canton avenue ; approved June 10, 1871.

Resolution appropriating one thousand dollars for the widow of officer Joseph C. Clark ; approved June 10, 1871.

Resolution for regrading and repaving Mill street, and for the construction of a sewer, and appropriating five hundred dollars therefore ; approved June 10, 1871.

Resolution to pay Norris & Baldwin fifty-two dollars for taxes paid in error ; approved June 10, 1871.

Resolution authorizing Harman Kamp to sink a well ; approved June 10, 1871.

Resolution for flag-stones on Chase and Bond streets ; approved June 10, 1871.

Resolution appropriating three hundred and seventy-five dollars for a fire alarm telegraph box on the corner of Fayette and Bond streets ; approved June 10, 1871.

Resolution appropriating one hundred dollars for the repair of Hollins Market-house ; approved June 10, 1871.

Resolution to pay Mary C. Robey nineteen dollars and fifty-nine cents, for taxes paid in error ; approved June 10, 1871.

Resolution to grade and pave North Boundary avenue ; approved June 10, 1871.

Resolution to place iron crossings over Camel alley, at its intersection with and on both sides of Park avenue ; approved June 10, 1871.

Resolution for flag-stones at the corner of Mosher street and Linden avenue ; approved June 10, 1871.

Resolution to lay gas mains on Ann street, south of Thames street ; approved June 10, 1871.

Resolution to lay flag-stones at the corners of Park avenue and McMechen street, and at the corner of Dolphin street ; approved June 10, 1871.

Resolution for the repair of pump on the corner of Peach alley and Henrietta street : approved June 0, 11870.

Resolution for gas mains on Vine street ; approved June 10, 1871.

Resolution appropriating five hundred dollars for the improvement of Union Square ; approved June 10, 1871.

Resolution extending the hospitalities of the city to the Masonic fraternity ; approved June 12, 1871.

Resolution appropriating one thousand dollars for the mother of the late officer James Murphy ; approved June 12, 1871.

Resolution appropriating nine hundred and thirty dollars for the improvement of Franklin Square ; approved June 13, 1871.

Very respectfully,

ROBERT T. BANKS, *Mayor.*

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to remove the old earth-work on East Monument street extended, and that the sum of four hundred dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the expenses thereof, to be taken out of the levy for 1872.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

Mr. Trippe offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of five hundred dollars, or so much thereof as may be necessary for the repair of Male and Female Grammar School No. 14, be appropriated, and is hereby appropriated, the same to be done under the supervision of the City Commissioner, and the expenses to be taken out of any money unappropriated now in the city treasury.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, June 15, 1871.

*Gentlemen of the First Branch :*

We respectfully ask you to recede from your amendments to the resolution to provide for the cleaning of Mr. Clure's dock.

By order,

GEORGE T. BEALL, Jr., *Clerk.*



Mr. Trippe moved to non-concur.

Mr. Johnson moved as a substitute that the Branch concur.

The question being on the concurrence, it was declared lost, and recurring on the motion to non-concur, the motion was declared adopted.

Mr. Ehlers called up the ordinance in reference to closing McElderry street and other streets running through the grounds of the Johns Hopkins Hospital, which was read.

On a motion by Mr. Bruce to lay the ordinance on the table, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :

*Yeas*—Messrs. Hudgins, Bruce, Smyrk, Ward, Sommerlock, and Randall—6.

*Nays*—Messrs. President, Weitzell, Trippe, Bond, Price, Berry, Freeberger, Ehlers, Johnson, and Crout—10.

The Branch refused to lay on the table.

On motion of Mr. Crout, the ordinance was read a second time, by special order.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Ward, Bond, Price, Sommerlock, Berry, Freeberger, Ehlers, Johnson, and Crout—14.

*Nays*—Messrs. Bruce and Randall—2.

The ordinance was declared passed and the title approved.

Mr. Trippe proposed a message to the Second Branch that the two Branches take a recess of thirty minutes, for the purpose of enabling the committees to prepare reports, &c.

The message was ordered to be sent, and on concurrence by the Second Branch, the two Branches took a recess for thirty minutes.

The Second Branch returned the resolution to lay flag-stones on the corner of Howard and Saratoga streets, with the following amendment, which was read :

Strike out all after the word "streets" and insert in lieu thereof the following : "The expenses of the same to be paid out of any money in the treasury not otherwise appropriated."

On motion of Mr. Bruce the Branch concurred in the amendment.

The Second Branch returned the resolution for drain pipe from Holliday St. Theatre, with the following amendment, which was read :

"And provided that the said pipe shall, in no way, be used for draining water-closets, or for conveying any solid or noxious matter whatever, under a penalty of twenty-five dollars for every day of the violation of this provision."

On motion of Mr. Weitzell, the Branch concurred.

The Second Branch returned resolution to construct a fountain at the northeast corner of Poppleton and Columbia streets, with the following amendment, which was read :

Strike out the words "the expense to be taken out of the water levy for 1871," and insert in lieu thereof the words, "And that the sum of three hundred and fifty dollars, or so much thereof as may be necessary, is hereby appropriated, to be taken out of any money in the city treasury not otherwise appropriated."

On motion of Mr. Weitzell, the Branch concurred.

The following resolution was received from the Second and read :

Resolved by the Mayor and City Council of Baltimore, That the Superintendent of Police and Fire Alarm Telegraph be, and he is hereby, directed to remove the fire alarm telegraph pole from the front door of the dwelling of the pastor of St. Michael's Church, on Wolf street, the expense of the same to be taken out of any appropriation for the erection of police and fire alarm telegraph poles.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read:

Whereas, by resolution of the Mayor and City Council of Baltimore, approved September 26, 1868, the Northern Central Railway Company is required to remove the existing track of said railway between Cathedral and Eager streets within three months after the new tracks on the east side of Jones' Falls are ready for operation; and whereas, the President of the said Railway Company, in his recent report to the stockholders, has announced the early completion of the said new tracks; and whereas, after the removal of the track between Cathedral and Eager streets, required as aforesaid, there can be no reason of public interest to continue the branch track along Cathedral street from John street to Howard street, while the removal of the same is urgently demanded by the owners of property in the neighborhood; and whereas, the removal of said last mentioned track is necessary to the accomplishment of the purposes of all the legislation above referred to, viz: the proper and costly improvement of the valuable section of the city through which the tracks passed, and the consequent large increase of the basis of taxation; therefore, be it

Resolved by the Mayor and City Council of Baltimore, That the Northern Central Railway Company be, and the

said Company is hereby, required to remove, at its own cost and charge, and in a manner satisfactory to the City Commissioner, all its railroad track on Cathedral street between John street and Howard street, and that said removal shall be made before the 1st day of January, 1872.

Mr. Trippe offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have a gas lamp placed at the southeast corner of Canal and Fayette streets.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

A report from the joint special committee on city printing and stationery contracts, with the accompanying ordinance, was received from the Second Branch and read :

The joint special committee appointed "to inquire into the present mode of contracting for the city printing and stationery, also to recommend some mode other than the present for furnishing the various departments of the City Government with such printed matter and stationery as may be necessary for their use," beg leave to report that they are of opinion that the present system of contracting by one general contract for the public printing and furnishing all the departments with stationery, is in its practical results exceedingly extravagant, and the committee think a much better arrangement can be made and much money saved by requiring each department to provide printing and stationery for itself, and to be responsible for the economy and prudence of its action in that respect. The committee propose at the next meeting of the Council to submit an ordinance on this subject, but in the meantime recommend the passage of the accompanying ordinance, relieving the



Register from the duty of advertising for proposals for a contract before the 1st of September.

J. C. RANDALL,  
G. MORRIS BOND,  
A. E. SMYRK,

*First Branch.*

A. W. DUKE,  
C. G. KERR,  
JOHN MILROY,

*Second Branch.*

An ordinance to repeal section 26, Article 1, Baltimore City Code, title "City Charter," sub-title "City Council."

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That section 26, Article 1, Baltimore City Code, title "City Charter," sub-title "City Council," be, and the same is hereby, repealed.

SEC. 2. And be it further enacted, That this ordinance shall take effect from and after the date of its passage.

On a motion by Mr. Johnson to lay the ordinance on the table, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. Hudgins, Trippe, Ward, Torsch, Price, Freeberger, and Johnson—7.

*Nays*—Messrs. President, Weitzell, Bruce, Sommerlock, Randall, Berry, and Ehlers—7.

The Branch refused to lay on the table.

On a motion by Mr. Bond to suspend the rules to give the ordinance a second reading, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Bruce, Bond, Price, Sommerlock, Berry, Freeberger, and Ehlers—9.

*Nays*—Messrs. Hudgins, Trippe, Ward, Torsch, and Johnson—5.

The Branch refused to suspend the rules, and the ordinance was declared laid on the table.

Mr. Price offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Superintendent of the Fire Alarm Telegraph be, and he is hereby, authorized to place at the intersection of John street and Boundary avenue a fire alarm box, the expense of the same to be taken out of the levy for 1871.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

Received from the Second Branch an ordinance entitled an ordinance to extend the limits of Broadway market, which was read, and, on motion of Mr. Weitzell, the ordinance was referred to the Joint Standing Committee on Markets.

A report of the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch and read :

The Joint Standing Committee on Highways, to whom was referred the petition of Kloman, and others, to lower the bed of Howard street, between certain points, and for the construction of a sewer thereunder, beg leave respectfully to report, that they have visited the locality and deem said improvement highly necessary. They therefore offer the following resolution and respectfully ask its passage :

S. SANDS MILLS,  
JOHN W. TORSCH,  
*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to lower the grade of Howard street, between Stockholm and Ostend streets, sufficiently to carry off the water with a proper degree of speed, and to construct a sewer under the bed of Howard street, of sufficient dimensions, from Ostend street to the Spring Gardens; and that the sum of two thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the same, to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

On a motion by Mr. Ehlers to adjourn, the yeas and nays were demanded by Mr. Ehlers, resulting as follows:

*Yeas*—Messrs. Freeberger, Ehlers, and Johnson—3.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Ward, Bond, Price, Sommerlock, Randall, and Berry—11.

The Branch refused to adjourn.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to place a trap in the mouth of the sewer at the southeast corner of McMechen and Park avenue, for the purpose of carrying off the smell now arising from said sewer, the said expense to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Berry, the resolution was read a second time by special order.

The question being on the adoption of the resolution, it was declared rejected.

A report of the Joint Standing Committee on Police and Jail, with the accompanying resolution, was received from the Second Branch and read.

The Joint Standing Committee on Police and Jail, to whom was referred the resolution authorizing the Visitors of the Baltimore City Jail to contract with L. Morrison for the erection of a patent portable gas apparatus for the manufacture of gas for the use of said jail, and appropriating the sum of twenty-five hundred dollars for said purpose, do most respectfully report that they have given the subject consideration, and believing that it would be a very great saving to the city, ask that the following resolutions may pass :

S. SANDS MILLS,  
THOS. P. KERNAN,  
*First Branch.*

A. W. DUKE,  
WM. H. VICKERY,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Visitors of the Baltimore City Jail be, and they are hereby, directed to contract with L. Morrison for the erection of a patent portable gas apparatus, similar to the one now in use at Bayview Asylum, for the manufacture of gas for the use of the Baltimore City Jail.

Resolved, That the sum of two thousand five hundred dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the above purpose, to be taken out of any money in the treasury not otherwise appropriated.

The following ordinance was received from the Second Branch and read :

An ordinance to provide for the paving of Calhoun street from the end of the pavement already laid down north to Saratoga street.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be,



and he is hereby, authorized and directed to have paved, as provided for by ordinance of the Mayor and City Council of Baltimore, approved June 3, 1870, all that part of Calhoun street from the end of the pavement already laid down north to Saratoga street.

SEC. 2. And be it enacted and ordained, That the cost of paving said street, as aforesaid, be assessed on the property binding thereon, as provided in the laws and ordinances for the paving of streets in the city of Baltimore; and the City Commissioner, the Register and the Collector are hereby authorized and directed to do all acts and things necessary and proper to carry into effect the objects of this ordinance

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

A report from the Joint Standing Committee on Highways, with the following resolution, was received from the Second Branch and read :

The Joint Standing Committee on Highways, to whom was referred the resolution providing for the construction of a sewer on Calhoun street, from Adams to Mosher street, would state that they have examined into the matter, and deem the construction of said sewer both proper and desirable, and would respectfully ask the adoption of the following resolution :

S. SANDS MILLS,  
J. W. TORSCH,

*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the sum of seven thousand (\$7,000.00) dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the construction of a sewer on Calhoun street, from Adams to Mosher streets, the dimensions of said sewer to conform to that now made from Harlem avenue to Adams street.

On motion of Mr Johnson to suspend the rules, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Ward, Price, Randall, Berry, Freeberger and Johnson—11.

*Nays*—Messrs. Bond, Sommerlock, and Ehlers—3.

The rules were declared suspended, and the resolution read a second time.

Mr. Bond moved to strike out the enacting clause. The motion was declared lost.

The question recurring on the adoption of the resolution, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Ward, Price, Berry, Freeberger, and Johnson—10.

*Nays*—Messrs. Bond, Sommerlock, Randall, and Ehlers—4.

The resolution was declared adopted.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, June 15, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, the appointment of a committee of conference on the disagreeing votes of the Second Branch on the resolution to clean McClure's dock, and have on the part of this Branch appointed Messrs. McCoy, Kerr, and Duke.

By order,

GEO. T. BEALL, JR., *Clerk.*

The message was concurred in, and the Chair appointed Messrs. Berry, Trippe, and Bond, as the committee on the part of this Branch.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have flag-stones, not less than four and one-half feet wide, laid at the intersection of Chase street and Lovegrove alley, near Christ Church, the expense of the same to be taken out of the appropriation for flag and stepping stones for eighteen hundred and seventy-one.

On motion of Mr. Freeberger, the resolution was read a second time, by special order.

The question being on the adoption of the resolution, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Ward, Bond, Price, Sommerlock, Randall, Berry, Freeberger, and Johnson—13.

*Nays*—Mr. Ehlers—1.

The resolution was declared adopted.

The following ordinance was received from the Second Branch and read :

An ordinance to change the name of Hollins street to Winans avenue.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the name of Hollins street be, and the same is hereby, changed to that of Winans avenue.

SEC. 2. Be it enacted and ordained, That all ordinances, or parts of ordinances inconsistent with this ordinance be, and the same are hereby, repealed.

SEC. 3. Be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

The ordinance was declared laid on the table :

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, instructed to have new and broad flag-stones placed at the crossings of Charles street, both at Mulberry and Franklin streets.

On motion of Mr. Sommerlock, the resolution was read a second time, by special order.

The question being on the passage of the resolution, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Ward, Bond, Price, Randall, Berry, Freeberger, and Johnson—12.

*Nays*—Messrs. Sommerlock, and Ehlers—2.



On motion of Mr. Sommerlock to adjourn, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :

*Yeas*—Messrs. Hudgins, Price, Sommerlock, Berry, Freeberger, and Ehlers—6.

*Nays*—Messrs. President, Weitzell, Trippe, Bruce, Ward, Bond, Randall, and Johnson—8.

The Branch refused to adjourn.

The following report and resolution were received from the Second Branch and read :

The Joint Standing Committee on Highways, to whom was referred the petition of Wm. A. Allen, asking the privilege of laying a switch into his lot on the northwest corner Central and Canton avenues, to connect with the track of the Philadelphia and Wilmington Railroad, beg leave to state that they have visited the locality for which the privilege is asked and can see no reasonable objection why the permission should not be granted. They, therefore, beg leave to offer the following resolution and ask for its adoption:

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,  
*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
WM. H. VICKERY,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and is hereby, granted to William A. Allen, to construct a switch, to connect with the track of the Philadelphia and Wilmington Railroad, into his lot on the northwest corner Canton and Central avenues, the bridge crossing Central avenue to be properly shored (the same as the Northern Central Railroad bridge adjoining), and at the

expense of said Allen ; the same to be done under the supervision of the City Commissioner, and to be removed in six months notice from the Mayor.

On motion of Mr. Bruce, the resolution was read a second time, by special order.

On motion of Mr. Weitzell, the ordinance was laid upon the table.

A report from the Joint Standing Committee on Ways and Means, with the following resolution, was received from the Second Branch and read:

The Joint Standing Committee on Ways and Means, to whom was referred the accompanying resolution, recommend its passage.

A. C. TRIPPE,  
BENJ. PRICE,  
*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, directed to contract for one year with J. J. Palmer to light such lamps as are now being lighted with coal oil, with his patent petroleum fluid, at a cost not exceeding thirty dollars per annum, provided it may, in the judgment of the said Comptroller, be to the interest of the city to make such contract.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, authorized and

directed to have gas mains laid down on Henrietta street, from Leadenhall to Eutaw street.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be authorized and directed to have gas-mains laid on the following streets : Edmonson avenue, from Cary street to Gilmore street ; Harlem avenue, from Cary street to Gilmore street ; Calhoun street, from Edmondson avenue to Harlem avenue ; Gilmore street, from Patterson avenue to Franklin street ; and Townsend street, from Republican street to Gilmore street.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be authorized and directed, to change the location of the gutter at the crossing of Raborge and Poppleton streets, the same to be paid for out of any money in the treasury not otherwise appropriated.

On motion of Mr. Ehlers, the resolution was read a second time, by special order.

The question being on the passage of the resolution, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Ward, Price, Randall, Berry, and Freeberger—10.

*Nays*—Messrs. Bond, Sommerlock, Ehlers, and Johnson—4.

The resolution was declared adopted.

A report from the Joint Standing Committee on Markets, with the following resolution, was received from the Second Branch and read :

The Joint Standing Committee on Markets, to whom was referred the petition and resolution in reference to building an office for the clerk of Belair market, beg leave to report that they have given the subject due consideration, and have arrived at the conclusion that the office should be built, and therefore offer and ask the passage of the following resolution :

JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

WILLIAM H. VICKERY,  
DANIEL CONSTANTINE,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to have an office built for the Clerk of the Belair Market, and that the sum of twelve hundred dollars, or so much thereof as may be necessary be, and the same is hereby, appropriated therefor, to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

Mr. Price proposed a message to the Second Branch that the Branch is now ready to adjourn.

The message was ordered to be sent, and after waiting for some time, on a motion by Mr. Bond to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows :



*Yeas*—Messrs. President, Bond, Randall, Berry, Freeberger, and Ehlers—6.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Ward, Price, Sommerlock, and Johnson—8.

The Branch refused to adjourn.

The Second Branch returned the following resolutions severally endorsed “adopted:”

Resolution appropriating \$2,500 for music at Druid Hill and Patterson Parks, and Battery Square.

Resolution requesting the Mayor to instruct Wm. Bond to remove his pyrotechnic manufactory on East Fayette street.

Resolution for flag-stones across Broadway, near Baltimore street.

Resolution appropriating \$100 for the change of the grade at the intersection of Baltimore and Schroeder streets.

Resolution appropriating \$700 for water-mains leading to McHenry street, west of Poppleton street.

Resolution for fire-alarm box at John street and Boundary avenue.

Resolution appropriating \$500 for the repair of Grammar School No. 14.

Resolution authorizing the meeting of the Council Committees during the recess of the Council.

Resolution appropriating \$2,750 for cleaning Harford Run, and purchasing lime and deoderizer for the same.

Resolution appropriating \$200 for H. Stulzenbach, to compensate him for loss of horse killed by Fire Engine No. 1.

The Second Branch returned the resolution authorizing the City Printer to do printing for the Fire Inspector, endorsed “Rejected.”

The Second Branch returned the following ordinances, endorsed "Passed."

An ordinance for the extension of Patterson Park.

An ordinance to lease a lot and erect a school house for Grammar School No. 5.

An ordinance to repeal ordinance No. 93, approved October 22d, 1864, in relation to the Commissioner of Finance selling and reinvesting the stock and bonds held by the city in a railroad company.

An ordinance increasing the salary of the Deputy Register to \$1,800 per annum.

The Second Branch returned the ordinance to increase the compensation of the employees in the City Collector's Office, endorsed "Rejected."

The President having announced that no other business was before the Branch, on motion of Mr. Sommerlock, the Branch adjourned until Monday, September 4, at 5 o'clock.

By order,

WM. H. COLE, *Clerk*.

The following ordinances were presented to the Mayor on the dates named:

June 7th.—An ordinance entitled "An ordinance to construct a sewer from the intersection of Oliver and Decker streets and Jones' Falls, and repealing all ordinances conflicting therewith."

June 9th.—An ordinance for the condemnation of Morris alley, as laid down on Poppleton's Plat, through the grounds formerly owned by Mrs. Jane Clendinen.

June 9th.—An ordinance to condemn and open Presstman street from Gilmor street to Monroe street.

June 9th.—An ordinance to declare the bed of Madeira alley between Pratt and Lombard street a public highway.

June 9th.—An ordinance to open Eager street from Gay street to Bond street.

June 9th.—An ordinance to repeal so much of an ordinance entitled "An ordinance to condemn and close Liberty Road from Gilmore street to Fulton street, and to condemn and open in lieu thereof a street of the width of sixty feet, located 276 feet south of Baker street; approved November 17, 1870," as authorizes and empowers the Commissioners for opening streets to condemn and open a street of the width of 60 feet, as therein set forth.

June 9th.—An ordinance entitled "An ordinance to allow the Baltimore and Potomac Railroad Company to lay a temporary rail-road track from the Northern Central Railway at its crossing of North Boundary Avenue to the intersection of Oliver or McMechen streets, with the said North Boundary Avenue.

June 9th.—An ordinance to declare the bed of Stoddart alley, from the north side of Townsend street to the north side of Mosher street, a public highway.

June 9th.—An ordinance to regulate smoke-stacks, chimneys, &c.

June 9th.—An ordinance to condemn and widen Eutaw street between Laurens street and North avenue.

June 9th.—An ordinance authorizing the Mayor to accept from William Wilkens the fee simple title to certain streets.

June 9th.—An ordinance to repeal section 1 of ordinance No. 94, approved October 25, 1870, and re-enact the same.

June 9th.—An ordinance to condemn and open Monument street, from the south side of Fayette street to the north side of Baltimore street.

June 10th.—An ordinance to provide for an Inspector of Buildings, and to prescribe his duties.

June 15th.—An ordinance to increase the salary of the Register of the City.

June 16th.—An ordinance to make further provision for the improvement of Jones' Falls, and authorizing the examination of additional plans.

June 16th.—An ordinance to provide for extension of time of payment by the Pittsburg and Connellsville Railroad Company of the interest on the bonds issued by the city in its favor, and to provide for the funding of the accrued interest.

June 16th.—An ordinance authorizing and directing the Register of the City of Baltimore to pay the interest on the bonds of the Western Maryland Railroad Company, guaranteed by the Mayor and City Council of Baltimore, under the provisions of an ordinance approved January 21st, 1870, entitled "An ordinance to authorize the endorsement or guarantee by the Mayor and City Council of Baltimore, of the mortgage bonds of the Western Maryland Railroad Company to provide a sinking fund in connection therewith, in case the said company shall fail to pay the same."

June 16th.—An ordinance to increase the compensation of the Superintendent, operators and linemen of the Police and Fire Alarm Telegraph.

June 16th.—An ordinance to condemn and reopen a public square.

June 16th.—An ordinance to lease to the Canton Company of Baltimore the property belonging to the Mayor and City Council of Baltimore, known as the Canton market, situated on O'Donnell street.

June 16th.—An ordinance to condemn and open Charles street from West street to Hammond street, as laid down on Poppleton's Plat.

June 21st.—An ordinance to provide for the grading and paving of Fort avenue, from Light street to Hanover street.

June 21st.—An ordinance entitled "An ordinance to construct a sewer from Pressbury street, down Fulton avenue to intersect the sewer at Baker street."

June 21st.—An ordinance to provide for the grading and paving of Oliver street, between Cathedral and Decker streets.



June 21st.—An ordinance entitled “An ordinance to increase the salary of the Deputy Register of the city.”

June 21st.—An ordinance for the extension of Patterson Park.

June 21st.—An ordinance to repeal Ordinance No. 93, approved October 22, 1864, entitled “An ordinance to authorize the Commissioners of Finance to sell and re-invest the stock or bonds held by the city in any railroad or other company, in city, State, or United States securities, and incorporated into the City Code of 1869, Article 42, entitled Stocks, Loans, and Finance, sub-title Commissioners of Finance, section 16.”

June 21.—An ordinance to provide for the lease of a lot and the erection thereon of a school building, for the use of Male and Female Grammar School No. 5.

The following resolutions were presented to the Mayor on the dates named:

May 26th.—Resolution to carry into effect Resolution No. 108, approved May 2, 1871, in relation to the purchase of Winan's chapel.

June 7th.—Resolution authorizing Wm. Colton and E. J. Lawrence to erect a second story frame addition.

June 7th.—Resolution to permit Mr. Meeth to erect a pump.

June 7th.—Resolution for a lamp on the southwest corner of Canal and Fayette streets.

June 7th.—Resolution appropriating \$1,400 for the erection of fire alarm telegraph poles and wires.

June 7th.—Resolution appropriating \$100,000 for the extension of Battery Square.

June 9th.—Resolution appropriating \$500 for the improvement of Union Square.

June 9th.—Resolution authorizing Harman Kamp to sink a well.

June 9th.—Resolution appropriating \$375 for a fire alarm telegraph box on the corner of Fayette and Bond streets.

June 9th.—Resolution for gas mains on Vine street.

June 9th.—Resolution for the repair of pump on the corner of Peach alley and Henrietta street.

June 9th.—Resolution to lay flag stones at the corners of Park avenue and McMechen street, and Park avenue and Dolphin street.

June 9th.—Resolution to lay gas mains on Ann street, south of Thames street.

June 9th.—Resolution for flag-stones at the corner of Mosher street and Linden avenue.

June 9th.—Resolution to place iron crossings over Camel alley at its intersection with and on both sides of Park avenue.

June 9th.—Resolution appropriating \$1,000 for the mother of the officer James Murphy.

June 9th.—Resolution for flag-stones on Chase and Bond streets.

June 9th.—Resolution to grade and pave North Boundary avenue.

June 9th.—Resolution to pay Mary C. Robey \$19.59, for taxes paid in error.

June 9th.—Resolution appropriating \$100 for the repair of Hollins market-house.

June 9th.—Resolution to pay Norris & Baldwin \$52, for taxes paid in error.

June 9th.—Resolution for regrading and repaving Mill street; and for the construction of a sewer, and appropriating \$500 therefor.

June 9th.—Resolution appropriating \$1,000 for the widow of officer Joseph C. Clark.

June 9th.—Resolution for gas mains in certain streets.

June 9th.—Resolution for the repair of pump at Caroline street and Canton avenue.

June 9th.—Resolution extending the hospitalities of the city to the Masonic fraternity.

June 9th.—Resolution for gas mains on Garden street.

June 9th.—Resolution for flagging at the corner of Eutaw and Biddle streets.

June 9th.—Resolution to remove certain pump-stocks.

June 9th.—Resolution for a new pump on the corner of Forrest and Orleans streets.

June 9th.—Resolution for the repair of pump at Saratoga and Fremont streets.

June 9th.—Resolution appropriating \$500 for indexing the judgments of the Superior Courts.

June 9th.—Resolution authorizing Adam Schaeffer and others to construct a sewer.

June 9th.—Resolution for the repair of pump on the corner of Paca and Barre streets.

June 9th.—Resolution appropriating \$300 for the improvement of Mount Vernon Square.

June 9th.—Resolution directing the Health Commissioner to investigate the condition of Johnson street.

June 9th.—Resolution authorizing John G. Dillehunt to sink a well.

June 9th.—Resolution appropriating \$5.68 in favor of F. Livingston.

June 9th.—Resolution appropriating \$149.30 in favor of John S. and R. S. Carswell.

June 9th.—Resolution to celebrate the Fourth of July, 1871.

June 9th.—Resolution in favor of the late I. Harry Weaver.

June 9th.—Resolution to have old pump-stocks removed from the corner of Calvert street and Bank lane, and the corner of Sharp and Conway streets.

June 10th.—Resolution appropriating \$930 for the improvement of Franklin Square.

June 10th.—Resolution authorizing Wendell Bollman to erect a bath-house.

June 10th.—Resolution appropriating \$4,000 for Charles Dunn for services rendered at the Richmond Market-house.

June 15th.—Resolution authorizing Messrs. Carey & Co. to construct a switch at their coal yard on Cathedral street.

June 16th.—Resolution authorizing J. Henry Snyder to lay a drain pipe.

June 16th.—Resolution authorizing Water Engineer to lay a water main to the grounds of the West Baltimore Berger Rifle and Scheutzen Association.

June 16th.—Resolution granting permission to Jno. Horst to erect fenders or posts on his premises between Eastern avenue and Hammond alley.

June 16th.—Resolution appropriating \$10,000 to defray the expenses of the National Commercial Convention.

June 16th.—Resolution appropriating \$12,000 for the repair of the Western Female High School, Male and Female Grammar School No. 4, and Male and Female Grammar School No. 15.

June 16th.—Resolution appropriating \$100 to pay Wm. W. Connaway.

June 16th.—Resolution authorizing Water Engineer to erect a fire plug on the corner of Light and Randall streets, and at the corner of Hanover and West streets.

June 16th.—Resolution for the removal of an old pump at the northeast corner of Eastern avenue and Spring street, and of an old pump-stock opposite 101 Ann street.

June 16th.—Resolution authorizing the City Commissioner to lay flag-stones across Pratt street at its intersection with Penn street.

June 16th.—Resolution authorizing Thos. Rutter to retain certain buildings on Division street.

June 21st.—Resolution appropriating \$1,600 for the grading and paving of the beds of Monroe and other streets.

June 21st.—Resolution authorizing the payment of the cost of grading, curbing and flagging Stoddart alley, &c.



June 21st.—Resolution appropriating \$10,000 for the extension of the sewer at the intersection of John and McMechen streets.

June 21st.—Resolution appropriating \$3,000 for the improvement of Madison Square.

June 21st.—Resolution appropriating \$500 to the General Dispensary of the Maryland University of Medicine.

June 21st.—Resolution appropriating \$2,500 to have cleaned Harford Run; and the further sum of \$250 for the purchase of lime or deoderizers.

June 21st.—Resolution for flag-stones at the corner of Howard and Saratoga streets.

June 21st.—Resolution authorizing John T. Ford and William McClellan to lay a drain pipe to McClure's dock.

June 21st.—Resolution appropriating \$350 for a fountain and water-trough at the northeast corner of Poppleton and Columbia streets.

June 21st.—Resolution appropriating \$200 for H. Stulzenbach, for loss of horse killed by Fire Engine No. 1.

June 21st.—Resolution appropriating \$700 to increase the water mains leading to McHenry street, west of Poppleton street.

June 21st.—Resolution for a fire alarm box at the intersection of John street and Boundary avenue.

June 21st.—Resolution appropriating \$500 for the repair of Male and Female Grammar School No. 14.

June 21st.—Resolution appropriating \$2,500 for music at Druid Hill and Patterson Parks, and at Battery Square.

June 21st.—Resolution appropriating \$100 to raise the grade of Baltimore street at the intersection of Schroeder street.

June 21st.—Resolution requesting the Mayor to direct Wm. Bond to remove his pyrotechnic manufactory.

June 21st.—Resolution for flag-stones on Broadway, between Canton avenue and Baltimore street.

June 27th.—Resolution authorizing Messrs. Baker, Bros. & Co. to extend two platform piers into the harbor.

# APPROPRIATIONS.

Amount heretofore stated.....	\$89,122 26
Oliver and Decker street sewer.....	8,500 00
John and McMechen street sewer (extension).....	10,000 00
Presbury street and Fulton avenue sewer.....	4,000 00
Mill street sewer.....	500 00
Erection of building for Male and Female Grammar School No. 5.....	18,000 00
Resolution for repair of Western Female High School, Male and Female Grammar School No. 4, and Male and Female Grammar School No. 15.....	12,000 00
Resolution for repair of Male and Female Grammar School No. 14.....	500 00
Resolution for fire alarm telegraph poles and wires.....	1,400 00
Resolution for extension of Battery Square.....	100,000 00
Resolution for Union Square.....	500 00
Resolution for Franklin Square.....	930 00
Resolution for Madison Square.....	3,000 00
Resolution for Mt. Vernon Square.....	300 00
Resolution for fire alarm box at Fayette and Bond streets.....	375 00
Resolution in favor of the mother of officer Jos. Murphy.....	1,000 00
Resolution in favor of the wife of officer Jos. C. Clark.....	1,000 00
Resolution in favor of Mary C. Robey (taxes in error).....	19 59
Resolution in favor of Norris & Baldwin (taxes in error).....	52 00
Resolution in favor of F. Livingston (taxes in error).....	5 68
Resolution for repairing Hollins Street Market..	100 00
Resolution for indexing judgment dockets of Superior Court.....	500 00
Resolution in favor of John S. and R. S. Carswell (paving crossings).....	149 30
Resolution in favor of Charles Dunn.....	4,000 00

Resolution to defray the expenses of the National Commercial Convention.....	10,000 00
Resolution in favor of Wm. W. Connaway.....	100 00
Resolution for grading and paving bed of Monroe street.....	1,600 00
Resolution for General Dispensary of University of Maryland.....	500 00
Resolution for cleaning Harford Run and deodorizing same.....	2,750 00
Resolution for fountain and trough at Poppleton and Columbia streets.....	350 00
Resolution in favor of H. Stulzenbach.....	200 00
Resolution to increase water-mains leading to McHenry street.....	700 00
Resolution for music at the parks.....	2,500 00
Resolution to raise the grade at Baltimore and Schroeder streets.....	100 00
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	\$274,753 83

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## SPECIAL SESSION.

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Monday, July 31, 1871.

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In pursuance of a call from his Honor the Mayor, "convening the Council in extra session, for the purpose of reconsidering the ordinance by which the Citizens' Passenger Railway Company is empowered to lay down a track in Fayette and other streets," the Branch met.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Bond and Crout.

Mr. Berry presented the credentials of W. W. Orndorff, Esq., member of the Branch elect from the Nineteenth ward, vice I. Harry Weaver, deceased.

The President declared Mr. Orndorff properly qualified,

and that gentleman took his seat in the Branch. The President announced that Mr. Orndorff could take the places on committees vacated by the death of Mr. Weaver.

Colonel Wm. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch, and presented the following message from his Honor the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, July 31, 1871.

*To the Honorable the Members of the  
First and Second Branches of the City Council:*

GENTLEMEN :—I have, under a sense of duty as well to the "Citizens' Passenger Railway Company" as to the property-holders along both sides of Fayette street, between Charles and Calvert streets, convened your honorable bodies, only for a short session, to reconsider the ordinance of the city, passed June 29th, 1870, by which it was proposed to grant the said company the right to lay down a single track on Fayette street, between North and Fremont streets.

The necessity of this action was made apparent from the following considerations of fact and law :

The City Commissioner, upon seeing the preparation making, on Tuesday last, to construct said single track in Fayette street, between Calvert and Charles, measured the width of Fayette street between said streets, and reported it to be only twenty-two feet from curb to curb, and twenty feet from the bases of opposite gutters. Measuring, also, the width of the railway cars in use at present on our streets, he found them to be seven feet five inches. This measurement (seven feet five inches), taken from the width of street from gutter to gutter (twenty feet), leaves twelve feet seven inches to be divided in two equal parts—namely, six feet three and a-half inches on each side of said railway track. The Commissioner also measured an omnibus, which showed width, from extremities of axle, seven feet five inches; a dray, showing seven feet four inches; and a hack, showing width, from extremities of axle, of six feet four inches.

If, then, these several measurements are correct (and I



cannot doubt their accuracy), it is impossible that these vehicles, used in and absolutely essential to the ordinary and every-day transactions and business of life, can be employed in Fayette street, between Charles and Calvert streets, if said track be laid down therein ; and, such being the case, it seems evident that the utility of that street, as a public highway, will be to a great degree impaired, and that the right of easement of the property-holders holding thereon will also be interfered with.

Concerning the law applicable to the case and influencing my action thereon, I beg to quote from the opinion of the City Counsellor before me :

“ The act of the General Assembly of 1870, chapter 438, in its third section empowered the ‘ Citizens’ Passenger Railway Company’ to lay down track or tracks in other streets than those mentioned in the ordinance of 1868, No. 70, with the assent of the Mayor and City Council. As Fayette street was not mentioned in the original ordinance, the company obtained the permission to occupy Fayette street by an ordinance subsequently passed—to wit, on the 29th day of June, 1870.

“ But these ordinances and this act of Assembly are subject to the Constitution of the State, which requires compensation to be made when the property of private persons is taken for public uses, or for the use of private corporations operating for a quasi public use. Streets have been acquired by the condemnation of private property, upon an assessment of benefits and damages—the one being a set-off to the other. The abutting owners of property fronting on streets are thus the peculiar owners of the easement, which they have paid for ; and their use of the easement, for the usual purposes of such ownership, cannot be taken from them without compensation. It is true that under the modern doctrine in relation to such cases, it seems competent to the Legislature to authorize railways to use such thoroughfares for the purposes of assisting public travel ; but I recollect no cases which allow such use without compensation, when the easement is virtually destroyed to the abutting owners, by their inability to enjoy it for the ordinary uses of life, and by having their highway reduced to a footway. If, therefore, the occupation of Fayette street, in any part

of it, by this company, deprives the abutting proprietors of the reasonable enjoyment of the street for the use and benefit of their property, their rights have been taken without compensation, and the act of the Legislature and the ordinance of the city are so far void. This is my opinion of the applicable law. To what extent the interruption must go to amount to this denial of a reasonable use of the street by the abutting owners, is not a question of law, but of fact, to be passed on by the tribunal of ultimate decision.

“Of course, the City Council will act upon its opinion as to the fact in deciding whether it will or not continue the ordinance, as respects the use of Fayette street in its narrow portion.”

It is only due to myself to say, in this connection, that supposing that the ordinance of June 29th, 1870, had been passed by the Council after the most thorough examination by its committee of the matter, including the measurement of the street, cars, &c., I had no hesitation, but, on the contrary, much desire to approve it, believing that the track thus provided for would add greatly to the public convenience. Immediately upon recognizing that it was clearly my duty to convene the Council, to reconsider the ordinance in question, I addressed the following note to the President of the “Citizens’ Passenger Railway Company:”

“JAS. S. HAGERTY, ESQ.,

“*Pres’t City Passenger Railway Co.:*

“DEAR SIR:—I am advised that the city ordinance, in pursuance of which your company propose to lay a railway track in Fayette street, is, in law, a nullity. I deem it my duty to you, therefore, to inform you that I shall convene the City Council on Monday next, to consider the same; and, in order to save you (possibly) an unnecessary expenditure, to advise you to abstain from further constructing said track, in said street, until the Council shall have concluded its consideration of the case.

“Very respectfully,

“ROBERT T. BANKS, *Mayor.*

“July 25, 1871.”

The property-holders, acting under the conviction that the request conveyed in the above note would not be complied with, and that the company would proceed with their work in Fayette street, between Charles and Calvert, at once sued out an injunction to restrain them from doing so, until the question of right could be determined by the competent tribunal. On Saturday last, however, the defendant (company) took an appeal from said injunction to the Court of Appeals, and gave an appeal bond, which, having the effect of suspending the operation of the injunction pending the appeal, the company is thus enabled to go on with the work at the point in dispute. My purpose, then, in hastily convening you—to wit, to have the ordinance, if invalid, repealed *at once*, and some other route, whereby the company could carry out its good intention, provided, before it should have proceeded further by a route which it might have to abandon—has thus, in a measure, been thwarted. Still, however, I have to commend to your consideration the validity or not of the grant, under the ordinance, of the right of way through Fayette street, between Charles and Calvert streets, or rather whether you will repeal or continue said ordinance in force.

Very respectfully,

ROBERT T. BANKS, *Mayor*.

Mr. Trippe proposed a message to the Second Branch for the appointment of a joint special committee of three to consider the message.

The message was ordered to be sent.

The Chair named as the committee on the part of this Branch Messrs. Trippe, Price and Berry.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, July 31, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that the

Council consider no other business than such as is contained in the message of his Honor the Mayor, convening us in extra session.

By order,

GEORGE T. BEALL, Jr., *Clerk*.

Mr. Berry moved to non-concur.

The question being on the non-concurrence, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. Trippe, Kernan, Torsch, Sommerlock, Berry, Johnson, and Orndorff—7.

*Nays*—Messrs. President, Weitzell, Hudgins, Bruce, Smyrk, Mills, Ward, Price, Randall, Freeberger, and Ehlers—11.

The motion was declared lost.

The question recurring on the concurrence, it was declared adopted.

Mr. Price proposed a message to the Second Branch, that when the Council adjourn this evening it stand adjourned until Monday, September 4, 1871.

The message was ordered to be sent.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, July 31, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have non-concurred in your proposition that when the Council adjourn this evening it stand adjourned till September 4.

By order,

GEO. T. BEALL, JR., *Clerk*.



The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, July 31, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening it stand adjourned until Thursday afternoon next, at 5 o'clock.

By order,

GEO. T. BEALL, JR., *Clerk.*

On a motion by Mr. Trippe to non-concur, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Ehlers, Johnson, and Orndorff—16.

*Nays*—Messrs. Kernan and Sommerlock—2.

The Branch non-concurred.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, July 31, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your message proposing a joint special committee on the communication of his Honor the Mayor, and have named on the part of this Branch Messrs. Kerr, Vickery and Milroy.

By order,

GEO. T. BEALL, JR., *Clerk.*

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, July 31, 1871.

*Gentlemen of the First Branch:*

We respectfully propose, with your concurrence, that both Branches of the Council take a recess for thirty minutes.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Price, the Branch concurred.

The Branch then took a recess of thirty minutes.

The Branch having been called to order—

Mr. Trippe, from the joint special committee to whom was referred the message of his Honor the Mayor in regard to the Citizens' Passenger Railway Company, submitted the following report and accompanying resolution, which were read:

The joint special committee to whom was referred the message of his Honor the Mayor, respecting the laying of tracks on Fayette street, between Charles and Calvert streets, respectfully report:

That the convenience and advantage of the citizens have for a long time required additional means of communication between different sections of the city, and, with a view to extend these facilities, the franchise was granted by the Council to the Citizens' Passenger Railway Company. At the time the matter was before the Council it was fully discussed, and no objection was made thereto; and, if the rights of individual proprietors are invaded, there is no doubt that the great public is benefited. Assuming the fact that individual rights are invaded, the arbitrament of the question is with the courts of law, to whom both parties have submitted for its decision, and by whom it will be determined, rendering legislation on our part unnecessary.

Your committee ask the adoption of the following resolution :

CHAS. G. KERR,  
WM. H. VICKERY,  
JOHN MILROY,  
*Second Branch.*

A. C. TRIPPE,  
BENJ. PRICE,  
GEO. R. BERRY,  
*First Branch.*

Resolved, That the committee be relieved from further consideration of the subject.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

Mr. Price proposed a message to the Second Branch that when the Council adjourns this evening it stand adjourned until Monday, September 4, 1871, at 5 o'clock.

The message was ordered to be sent.

The Second Branch returned the report and resolution regarding the Citizens' Passenger Railway Company, endorsed "Adopted."

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, July 31, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition that when the Council adjourn this evening it stand adjourned until September 4, at 5 o'clock P. M.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Berry, the Branch adjourned until Monday afternoon, September 4, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, September 4, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Mills, Bruce and Freeberger.

Mr. Bond presented a petition from Mrs. John S. McKim and others for the removal of two coal oil refineries on North street above Eager, which was read and referred to the Joint Standing Committee on Fire Department.

Mr. Weitzell offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the City Comptroller be, and he is hereby, requested to ascertain why gas-mains have not been laid by the Gaslight Company of Baltimore, in accordance with the ordinance and contract made in favor of and with the said company, and report to this Branch as soon as possible.

Mr. Sommerlock offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore,

That John T. Ford be, and he is hereby, authorized to change the lamp on the northeast corner of Baltimore and Eutaw streets, and the lamp and post on the northeast cor-



ner of Fayette and Eutaw streets, and the lamp and post in front of Ford's Opera House, provided he does it at his own expense, without diminishing the usual light, and with the approval of the City Commissioner.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the time for collecting the assessments for benefits to property-holders, arising from the construction of a sewer along Liberty, Howard and Camden streets, shall be extended to thirty days after the work on said sewer shall have been commenced.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to remove the following and useless pump-stocks, and have the wells of each properly covered, viz : one at the corner of Sharp and Little Montgomery streets, one at the north-west corner of Sharp and Hill streets, and one at the corner of Sharp and York streets.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized and directed to have a gas main laid on Spring Court from Charles street to its terminus, which is about 125 feet.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

Mr. Ehlers offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of three hundred dollars be, and it is hereby, appropriated for improvement made at Battery Square, the same to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

Mr. Trippe offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Joint Standing Committee on Ways and Means be empowered to inquire into the expediency of filling up the basin from Light street to the mouth of Jones' Falls.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Tuesday, September 5, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Smyrk, Kernan, Ward, and Sommerlock.

Mr. Mills presented a petition from John W. Garrett, President of the Baltimore and Ohio Railroad, and others, to change the grade of Allen street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Mills presented a petition from E. and J. Church and others, for the closing of an alley running from Gay to Monument streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Mills presented a petition from Frank Ott and others, for the construction of a sewer over Chatsworth run, between Pratt and King streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bond presented a petition from James M. Pouder and others, for a change in the grade of Federal street, between Decker and Cathedral streets, which was read and referred to the Joint Standing Committee on Highways.

Mr. Orndorff presented a petition from Christopher & Co. for permission to lay a pipe, which was read and laid upon the table.

The President presented a petition from S. Wurzburger and others, with reference to watering West Pratt street, which was read and referred to the Joint Standing Committee on Water.

Col. Wm. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a message from his Honor the Mayor.

The President presented the following communication from his Honor the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, September 4, 1871.

*To the Honorable the Members of the  
First and Second Branches of the City Council:*

GENTLEMEN—

I have the honor herewith to enclose the report of a com-

mittee of eminent physicians, appointed by the Commissioner of Health as chairman of a meeting of medical gentlemen called at this office, at his instance, on the 25th day of August last.

The report ably discusses the subject of the health of the city, specially as regards contagious or infectious diseases, and the most effective means of preserving the high standard of healthfulness it has uniformly maintained.

It is a cause for earnest congratulation that we can, on so competent authority, "maintain by comparison of the vital statistics, that in all respects our city ranks as one of the healthiest in the country," and feel justified in cherishing the hope that, "even should the Asiatic cholera"—now making sad havoc in some of the German States—"visit the United States, we shall be as fortunate as heretofore."

Though the committee express the opinion that there is no immediate cause to apprehend "that our city will be visited this year by this disease," and further express a "well-founded hope that we shall entirely escape its ravages," they still wisely conclude that we should not, in any degree, abate "our vigilance in the use of every means in our power to ward off its 'possible' approach."

Accordingly, for the most part, as far as possible, and consistent with existing health ordinances, the Health Commissioner has adopted practically such of their suggestions as had not already occurred to, and been put in use by him; and their salutary effects are, I am pleased to say, quite apparent.

The reflections of the distinguished committee respecting our very defective quarantine facilities, have heretofore been discussed by the Mayor and City Council. I have felt fully persuaded that the location of the Marine Hospital itself is, by reason of unhealthfulness, entirely unfit for hospital purposes, and that the means possessed by the city of properly treating vessels having infectious or contagious diseases among passengers and crews were quite inadequate to the



demands of health, in possible cases of emergency, and of the large and growing commercial relations of our city. These views have been officially expressed to the Councils, and while they have been in the main no doubt concurred in, the large expense involved in making the needed reform, it is believed, has been the delaying obstacle in the way of this essential reform. I have accepted with alacrity the mode of partial relief of this difficulty suggested by the committee, and addressed a communication to the Secretary of War asking for the use of Fort Carroll, where, in the language of the report, "the infected" (taken from ship-board) "could be completely isolated from intercourse with citizens, and they could not easily escape to the city." It is hoped that a favorable response will reach us in a few days.

First among the internal sources of malarial diseases among us, the committee call attention to "the number of unpaved alleys, especially in the older parts of the city," which, by reason of accumulated filth and vegetable matter, "really become nuisances and ought to be paved." It was well, in my judgment, if such disease aggravating, if not breeding, nuisances, were, by law, put under the control of the Commissioner of Health, so that he could compel their abatement, either by paving or other effectual means, at once, and as soon as their condition seemed to endanger the health of the adjacent inhabitants. But this, it is presumed, would require an Act of the Legislature.

The great problem presented by this report for the solution of the city authorities, is how most effectually to abate the grave nuisance made by our basin and docks during the heated term of every year, this year more serious, it is believed, than ever before.

While I have no plan of radical remedy of this trouble to recommend to your consideration, I am satisfied that so odious has it proven to be this season to all of our citizens, as well as to strangers coming among us by way of the harbor, the Council will certainly set about devising at once a proper remedy to be applied during the approaching fall

and winter months. In the meantime, I can but suggest that you have in your hands a means of very decided amelioration of the evil in your power, to withdraw the privileges now enjoyed by some of the city hotels and private houses of discharging their water-closets through sewers communicating directly with the basin.

These rights have, it is true, been granted by competent authority, and for supposed good and harmless purposes; but when it is discovered that, as the result of their use, they create a nuisance which is absolutely detrimental to the health and comfort of the entire community, they should be withdrawn. If, however, the plan of relief of the nuisance made by the basin, as at present conditioned, which shall be adopted by the Council, shall consist in causing the water therein to become active and frequently changing, then it would seem that these sewers might discharge into the basin with impunity to our people, and the very great convenience which they subserve be continued. As the warm season is nearly over, and there is a great probability that the docks and basin will be put in a condition of improvement beyond complaint, within the next few months, I have not thought it necessary to recommend the prohibition of steamboats, &c., above the point of discharge of Jones' Falls into the basin.

The suggestion of the Committee, to the effect that the pumps and springs, of shallow depth, should be closed, under certain conditions, it strikes me as being so well sustained by reason, as well as by the practical observation of Dr. R. McSherry, as related in his discussion of that feature of the report, that I shall lay the subject before the Water Board, at its next meeting, with the view of submitting some maturer suggestions concerning it, than at present occur to me. Of course, other and better means of water supply should be furnished, before these springs and pumps should be abolished—and that, it seems, were easy of accomplishment at comparatively small cost, with the abundant aid which nature has given us in the Jones' Falls and the Gunpowder river waters close at hand.

The next and last particular mentioned in the report, as

affecting injuriously the condition of the basin, as well as many parts of the city, and likely, therefore, to seriously aggravate the virulence of epidemic disease, in the event of our community's being at any time afflicted with it, to wit: the manner of disposing of the night soil, will be entirely under the control of the city authorities after the 1st day of July next. At present, the Council will remember, the city is under a contract (which expires on that date) to pay to the Baltimore Fertilizing Company \$18,000 per annum, to receive the garbage, night soil, &c., of the city, at certain points or wharves, and remove it beyond the city limits to their dumping grounds.

Recognizing that this mode of disposing of this material worked a grave nuisance, which afflicted in a greater or less degree the entire community, and was attended also with a heavy expense to the city, the question of seeking to dissolve said contract was given to the attention of the law officers and the City Council early in this administration. It was found impracticable, and, perhaps, not consistent altogether with good faith on the part of the corporation to do so, and had therefore to be abandoned. It is hoped that the Council in the meantime will mature some better way of managing these offensive matters, which may at once, upon the expiration of the existing contract, be inaugurated, and which shall be devoid of the disgusting and offensive features of the present plan.

I have gone through this report with great particularity, feeling that it contains much suggestion that, if adopted by the city authorities, would be of great practical value to the community; and now, with earnest thanks in their behalf to its authors, I beg to give it to your most careful consideration.

Respectfully,

ROBERT T. BANKS, Mayor.

The communication was, on motion of Mr. Crout, referred to the Joint Standing Committee on Health.

The President presented the following communication, which was read:



BALTIMORE, September 5, 1871.

*To the Honorable the Mayor and  
City Council of Baltimore :*

GENTLEMEN—

Under the ordinance “to make further provision for the improvement of Jones’ Falls, and authorizing the examination of additional plans,” approved June 19, 1871, the commission appointed by the Council is directed to report “on or before the meeting of the Council in September,” &c., &c.

The Commissioners organized as soon as they were officially notified of their appointment, and proceeded, with the aid of their engineers, to the consideration of the various plans for the Jones’ Falls improvement, as well as those heretofore submitted as others that have been submitted since the organization of the present Board.

This has necessarily devolved upon the Board an amount of work that has made it impossible for the Board to present their report at this time.

In behalf of the Board, however, I can promise that the report shall be made to you sometime during the present month.

I have the honor to be your obedient servant,

H. CLAY DALLAM,

President of Commission for the Examination of Plans for the Jones’ Falls Improvement.

On motion of Mr. Johnson, the communication was laid upon the table.

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Richard Wells & Bros. to repair the wharf at the foot of Bond street, the expense thereof to be paid by said firm.



On motion of Mr. Weitzell, the resolution was referred to the Joint Standing Committee on Harbor.

Mr. Weitzell offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That John Holdefer be, and he is hereby, permitted to erect fenders or posts five feet from his premises, at the corner of Central and Eastern avenue, the expense of the same to be paid by the said Holdefer, and to be done under the supervision of the City Commissioner.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Weitzell offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Geo. Shower to erect at his own expense, on the southwest corner of St. Paul and Lexington streets, and also in front of his premises on St. Paul street, lamps to indicate his business.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Mills offered the following resolution, which was read:

Resolved by both Branches of the City Council, That his Honor the Mayor, City Register and City Comptroller, the parties representing the city in said contract be, and they are hereby, requested to withhold the awarding of the contract for Printing and Stationery, as presented to and opened by them on September 4th inst., until some action be had by the City Council.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Inspector of Public Buildings be, and he is hereby, instructed to have provided a suitable flag to replace the dilapidated United States flag now in use at the Washington Monument, and that the sum of sixty dollars or so much thereof as may be necessary be appropriated for the purpose out of any money unappropriated in the city treasury.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Price offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of one thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the purpose of completing the repairs of the Western Female High School.

The resolution was, on motion of Mr. Price, referred to the Joint Standing Committee on Education.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have a gutter laid across McHenry street at the intersection of Gilmor, and across Calhoun at the intersection of Pratt street, the expense of the same to be taken out of any unappropriated money in the city treasury.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Orndorff offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That Christopher & Co. be, and they are hereby, authorized to lay a two-inch wrought iron pipe under the bed of Pratt street from Parkin eastwardly to McHenry alley, and thence southwardly to the premises of said Christopher & Co. on said alley, provided that the cost or expense of the same be paid by the said Christopher & Co.; that the pipe shall be laid under the supervision of the City Commissioner, and that the said pipe shall be removed after sixty days' notice from the Mayor and City Council of Baltimore.

On motion of Mr. Orndorff, the resolution was read a second time, by special order, and referred to the Joint Standing Committee on Police and Jail.

Mr. Orndorff offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to inquire of the President and Directors of the Citizens' Passenger Railway why the sand and debris have not been removed from the streets of the city along the track of the Citizens' Passenger Railway recently laid.

Mr. Trippe offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be authorized and empowered to have flag-stones three feet wide laid at the four crossings at intersection of Mosher street and Linden avenue.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Ehlers, the Branch adjourned until tomorrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

## Wednesday, September 6, 1871.

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The Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., President, and all the members except Messrs. Weitzell, Hudgins, Smyrk, Mills, Kernan, Ward, Johnson and Orndorff.

On the call of the roll, it appearing that no quorum was present—

On motion of Mr. Ehlers, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

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## Thursday, September 7, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Randall, Ehlers and Crout.

On a call of the roll, no quorum being present, Mr. Johnson moved that the Branch adjourn, on which the President requested the yeas and nays, resulting as follows:

*Yeas*—Messrs. Hudgins, Freeberger, and Johnson—3.

*Nays*—Messrs. President, Weitzell, Mills, Bond, Price, Sommerlock, Berry, and Orndorff—8.

The Branch refused to adjourn.

On motion of Mr. Price, the Sergeant-at-arms was ordered to go in search of the absent members.



Messrs. Bruce, Torsch, Randall and Ehlers appearing in the Branch, a quorum was announced present.

Mr. Mills presented a petition from John G. Moore, for \$185.54, for compensation as watchman on Sundays in the Port Warden's department, which was read and referred to the Joint Standing Committee on Claims.

The President presented a petition from Jacob Regner, for permission to construct a sewer for his cellar, under house northwest corner Guest and Ewing streets, which was read, and

On motion of Mr. Mills, referred to the City Commissioner.

Mr. Price presented a petition from J. M. Crook & Co. and others for the erection of a suitable building for the use of Male High School, known as the Baltimore City College, which was read and referred to the Joint Standing Committee on Education.

Col. Wm. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch, with a message from his Honor the Mayor.

The President presented a message from his Honor the Mayor, covering a communication from Trueman Cross and others against the erection of a livery stable at No. 49 German street, which was read and referred to the Joint Standing Committee on Fire Department.

The President presented the following veto message from his Honor the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, Sept 7, 1871.

*To the Honorable the Members of the  
First and Second Branches of the City Council :*

GENTLEMEN :—I have herewith to return to your Honorable Body, without my official sanction a "Resolution authorizing Messrs. Cary & Co. to construct a switch at their coal yard on Cathedral street."

Near the location indicated in the above named resolution, I found, on examination, that there were already two such switches diverging from the *left* of the main track in Cathedral street, and leading into coal yards in close proximity to the line of the one contemplated in said resolution to enter Cary & Co's coal yard on the *right* of said track. It was apparent to me, then, that by the putting down of the latter, not only the existing obstruction to easy travel on Cathedral street, made by the switches on the left, would be augmented, but that an entire blockade of the street at that point was liable to occur at any time. It will be remembered, moreover, that the Northern Central Railway Company is under obligation to remove the old track, by which its trains enter the city, within three months after the completion of the new track. The track in Cathedral street is connected, as you are aware, with the old track, and at the time—the 15th day of June last—when the resolution was presented for my approval, said new track was not completed. I was unwilling then to commit the city to any act that would indicate, however remotely, an indifference upon the subject of the early completion of the new and removal of the old track, because it had been, recently, our *good* policy to force all railway trains out of the streets of the city as far as practicable, or compel them to pass in or through the streets either above or below their grades.

The above considerations have mainly actuated my non-concurrence with the Council in the object of the resolution.

Very respectfully,

ROBERT T. BANKS, Mayor.

On motion of Mr. Johnson, to reconsider the vote by which the engrossed ordinance was passed, it was declared in the affirmative.

The question being “Shall the engrossed bill pass, the objection of his Honor the Mayor notwithstanding?” the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. Weitzell, Bruce, Smyrk, Mills, Torsch, Sommerlock, Freeberger, Ehlers, and Johnson—9.

*Nays*—Messrs. President, Hudgins, Bond, Price, Randall, and Berry—6.

The President declared that the ordinance failed to pass for want of the required three-fourths vote.

Mr. Orndorff proposed a message to the Second Branch, that when the Council adjourn this evening it stand adjourned until Monday afternoon next.

The message was ordered to be sent.

The President presented the following communication, with accompanying documents, from John A. Robb, Esq., City Register, which was read :

CITY REGISTER'S OFFICE,  
Baltimore, September 6, 1871.

*To the Hon. President and Members of the  
First Branch of the City Council :*

GENTLEMEN :—From a synopsis of yesterday's debate in the First Branch of the Council, published in this morning's papers, the inference may be drawn that the Register has neglected to protect the city's interest in regard to the annual award of contracts for printing and stationery. Shortly after the meeting of the present Council a special committee was appointed to alter the existing ordinance, so as to guard the city from useless expenditure and waste. But no action taking place in time, and the Register being compelled, under the existing ordinance, to advertise for proposals for printing and stationery within a specified period, carefully examined the specifications and estimates heretofore in use, and, after finding that they were by no means as comprehensive and full as desirable, drew up new specifications and estimates, of which a copy is herewith respectfully submitted. The bids were received under the new "specifications" and "estimates," and can be exam-



ined at this office. The awards, however, have been postponed, the Register looking forward to the passage of an ordinance now before your honorable body, which, it is expected, will remedy any defect that may exist in regard to the contract system, as now applied to the work of printing and furnishing stationery to the city.

In connection with this, the Register would take the opportunity to state that he has endeavored to protect the treasury to the best of his ability against improper and undue advantages being taken on the part of bidders for printing and stationery; all bids, according to the new "specifications" and "estimates," leave the quantity to be used optional with the corporation, no additional charge whatsoever being allowed, while all articles not especially enumerated are to be charged at the "very lowest market rates." No specifications, under the advertisement for printing and stationery, August 31, emanated from this office to furnish pencils or any certain number of reams of paper at a fixed price, leaving to the contractor to charge *ad libitum* for any quantity ordered beyond a certain amount specified. All bids are positively for "more or less" of the article wanted, and not for any stated quantity whatsoever. A comparison of the former mode of contracting with the one prepared by the present Register, will no doubt convince the Council that he has endeavored to comply with all economical requirements, leaving it now, however, with your honorable bodies to perfect an ordinance which will not only aid the Register, but also shield the city officers from being exposed to a misconstruction of their official acts, if not open insinuations of dishonest connivance with contractors and others.

I remain, with the greatest respect,

Your obedient servant,

JOHN A. ROBB, *Register*.

On motion of Mr. Johnson, the communication and accompanying papers were referred to the joint special committee on printing.

Mr. Mills, from the Joint Standing Committee on High-



ways submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of E. Patterson, Jr., and others, for the condemnation and opening of Gist street, from Baltimore street to Monument street, respectfully state that after having visited the locality named in said petition, believe it would be advantageous to the city, as well as petitioners, to have said street condemned and opened. They herewith offer the following ordinance, and respectfully ask its passage :

S. SANDS MILLS,  
G. MORRIS BOND,  
JNO. W. TORSCH,

*First Branch.*

JOHN MILROY,

*Second Branch.*

An ordinance to condemn and open Gist street, from Baltimore to Monument street.

Whereas application has been made to condemn and open Gist street, from Baltimore to Monument street, and notice of said application having been given, as required by the 837th, 838th and 839th sections of the fourth article of the Code of Public Local Laws of the State of Maryland ; and believing that the public convenience requires that the same shall be done, therefore,

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, authorized and directed to condemn and open Gist street, from Baltimore to Monument street, as laid down on Poppleton's plat of the city of Baltimore.

SEC. 2. And be it enacted and ordained, That any person or persons, or body corporate, who may be dissatisfied with the assessments of damages or benefits which shall be made

by the said Commissioners, may appeal to the Baltimore City Court, at the time, in the manner, and after like notice by the Register, as provided for in ordinance No. 26, entitled "An ordinance to provide for exercising certain powers vested in this corporation in relation to streets in the city of Baltimore, approved April 3, 1866," and any supplements to the same; and the Collector and Register of the city shall also perform such duties in relation to streets as are required of them by the provisions of said ordinance.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Highways to whom was referred the petition of E. Patterson and others for the opening of Orleans street, from Chester street to Patuxent, respectfully state, that after having visited the locality named in said petition, discover no reason why said street should not be opened as requested. They therefore offer the following ordinance, and ask its passage:

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,

*Second Branch.*

An Ordinance to condemn and open Orleans street from Chester street to Patuxent street.

Whereas application has been made to condemn and open Orleans street from Chester street to the east line of the property owned by Wiesenfeld, Ellenger, and others near Potomac street, or such part thereof as the Council may deem necessary, and notice of said application having been

given as required by the 837th, 838th and 839th sections of the fourth Article of the Code of Public Local Laws of the State of Maryland, and believing that the public convenience requires that the same shall be done, therefore

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, authorized and directed to condemn and open Orleans street from Chester street to Patuxent street, as laid down on Poppleton's plat of the city of Baltimore.

SEC. 2. And be it enacted and ordained, That any person or persons, or body corporate who may be dissatisfied with the assessments for damages or benefits which shall be made by the said Commissioners, may appeal to the Baltimore City Court at the time, in the manner, and after like notice by the Register, as provided for in ordinance No. 26, entitled "An ordinance to provide for exercising certain powers vested in this corporation in relation to streets in the city of Baltimore, approved April 3, 1866," and any supplements to the same, and the Collector and Register of the city, shall also perform such duties in relation to streets as are required of them by the provisions of said ordinance.

On motion of Mr. Ehlers, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, Sept. 7, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Wednesday evening next, at 5 o'clock.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

On motion of Mr. Price, the Branch concurred.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That Daniel Hogan be, and he is hereby, granted permission to move, at his own expense, the pump located on the south side of Eager street, about twenty feet west of McKim street, to a point east of its present location, said point not to be beyond the building line of McKim street, said removal to be done under the supervision of the Water Engineer.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

Mr. Orndorff offered the following resolution, which was read :

Resolved by the Mayor and City Council, That the Comptroller be, and he is hereby, authorized and directed to have gas-mains laid along Republican street between Saratoga and Franklin streets, and along Republican street between Edmondson avenue and Adams street, in accordance with an ordinance relating thereto.

On motion of Mr. Orndorff, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council, That the Water Engineer be, and he is hereby, directed to remove the old pump-stock on Hamburg street near Leadenhall, and to have the well properly secured, the expense of the same to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.



The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, directed to lay gas-mains on Forrest street, north of Eager street.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Whereas the present condition of that portion of the harbor from Light street to the mouth of Jones' Falls is calculated to engender pestilence and disease; and whereas, in a sanitary point of view, if no other, immediate steps should be taken to remedy the growing evil; therefore be it—

Resolved by the Mayor and City Council of Baltimore, That the Commissioners for the examination of plans for the improvement of Jones' Falls be, and they are hereby, authorized and empowered, and at the earliest possible moment, to present to the Council some feasible plan by which this portion of the harbor shall either be filled up, or a sufficient depth of pure water be at all times attainable for our merchant marine.

Resolved that the said Commissioners be empowered to employ the services of one or more first class engineers to assist them, and consult with them on all matters relating to said improvement.

On motion of Mr. Sommerlock, the resolution was read a second time, by special order, and rejected.

The Second Branch returned the following resolutions respectively, endorsed "adopted."

Resolution authorizing John T. Ford to change the location of certain lamps.

Resolution to extend the time of collecting assessment for constructing a sewer along Liberty, Howard and Camden streets.

The following resolutions were received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the hospitalities of the city of Baltimore be, and they are hereby, extended to the Mayor and City Council of Wheeling to visit Baltimore city at the same time with the Mayor and Councils of Pittsburg.

Resolved, That an engrossed copy of these resolutions be sent to the Mayor and City Council of Wheeling.

On motion of Mr. Mills, the ordinance was read a second time, by special order.

Mr. Price moved to amend by striking out the second resolution.

The motion was declared adopted.

The question being on the adoption of the resolution, as amended, it was declared adopted.

Mr. Torsch called up ordinance, known on the file as No. 34, entitled "An ordinance to lay railway tracks on German, Charles, Sharp and other streets in the city," and recommend its recommitment to the Joint Standing Committee on City Passenger Railway.

On motion of Mr. Weitzell, the Branch adjourned until next Wednesday afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Wednesday, September 13, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Mills, Kernan, Ward, and Crout.

Mr. Weitzell presented a petition from Peter Bollock and others for the erection of a new pump on the corner of Canton avenue and Port street, which was read and referred to the Joint Standing Committee on Water.

Mr. Bruce presented a petition from John C. Pund and others to open an alley on the north side of Forrest street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bruce presented a petition from Thos. J. Griffiss and others against closing an alley running from Gay to Monument street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Torsch presented a petition from Dr. F. T. Cherry for permission to erect a stable on premises No. 49 German street, which was read and referred to the Joint Standing Committee on Fire Department.

Mr. Bond presented a petition from Joshua Parks for permission to enlarge the frame dwelling No. 363 Cathedral street, which was read and referred to the Joint Standing Committee on Fire Department.

Mr. Price offered a message to the Second Branch, that when the Council adjourn this evening it stand adjourned until Friday afternoon next.

The message was ordered to be sent.

Mr. Berry presented a petition from the Maryland Central Railroad for aid, with an ordinance authorizing a subscription of \$750,000 of its stock, and asking the repeal of an ordinance heretofore passed, which was read and referred to the Joint Standing Committee on Ways and Means.

Mr. Ehlers presented a petition from J. Fletcher for an appropriation for Battery Square, which was read and referred to the Joint Standing Committee on Parks.

Mr. Johnson presented a petition from Philip Bunn for permission to sink a well, corner of Howard street and Welcome alley, to drain a cellar, which was referred to the Joint Standing Committee on Water.

Mr. Trippe presented a petition from Edward D. McConky and others for the refunding of assessment of benefits for opening streets paid by St. Bartholomew Church, which was read and referred to the Joint Standing Committee on Claims.

Col. Wm. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch, and presented the following message from His Honor the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, September 7, 1871.

*To the President and Members of the  
First Branch of the City Council :*

GENTLEMEN :—

I have the honor to inform you that the following named ordinances and resolutions, which originated in your Branch, have been duly signed by me and placed on file in the office of the City Register, according to law :

An ordinance to make further provision for the improvement of Jones' Falls, and authorizing the examination of additional plans ; approved June 19, 1871.



An ordinance to provide for the extension of the time of payment by the Pittsburg and Connellsville Railroad Company of the interest on the bonds issued by the city in its favor, and to provide for the funding of the accrued interest; approved June 19, 1871.

An ordinance to lease to the Canton Company of Baltimore the property belonging to the Mayor and City Council of Baltimore known as the Canton Market, situated on O'Donnell street; approved June 19, 1871.

An ordinance supplementary to ordinance No. 70 of ordinances of 1868, approved July 9, 1868; approved June 19, 1871.

An ordinance to condemn and open a public square; approved June 19, 1871.

An ordinance authorizing and directing the Register of the city of Baltimore to pay the interest on the bonds of the Western Maryland Railroad Company, guaranteed by the Mayor and City Council of Baltimore, under the provisions of an ordinance approved January 21, 1870, entitled "An ordinance to authorize the endorsement or guarantee by the Mayor and City Council of Baltimore of the mortgage bonds of the Western Maryland Railroad, and to provide a sinking fund in connection therewith, in case the said company shall fail to pay the same;" approved June 19, 1871.

An ordinance to increase the compensation of the superintendent, operators, and lineman of the Police and Fire Alarm Telegraph; approved June 19, 1871.

An ordinance to condemn and open Charles street, from West street to Hammond street, as laid down on Poppleton's plat; approved June 19, 1871.

An ordinance entitled "An ordinance to construct a sewer from Presbury street, down Fulton avenue, to intersect the sewer at Baker street;" approved June 23, 1871.

An ordinance to provide for the grading and paving of Fort avenue, from Light street to Hanover street; approved June 23, 1871.

An ordinance entitled "An ordinance to increase the salary of the Deputy Register of the city;" approved June 23, 1871.

An ordinance to provide for the lease of a lot and the erection thereon of a school building for Male and Female Grammar School No. 5; approved June 23, 1871.

An ordinance to provide for the grading and paving of Oliver street, between Cathedral and Decker streets; approved June 23, 1871.

An ordinance for the extension of Patterson Park; approved June 23, 1871.

An ordinance to repeal ordinance No. 93, approved October 22, 1864, entitled "An ordinance to authorize the Commissioners of Finance to sell and reinvest the stock of bonds held by the city in any railroad or other company in city, State, or United States securities," and incorporated into the City Code of 1869, Article 42, entitled "Stocks, Loans, and Finance," sub-title "Commissioners of Finance," section 16; approved June 23, 1871.

Resolution authorizing J. Henry Snyder to lay a drain; approved June 16, 1871.

Resolution appropriating one hundred dollars to pay Wm. Conway; approved June 16, 1871.

Resolution authorizing the Water Engineer to lay a water main to the grounds of the West Baltimore Berger, Rifle, and Schuetzen Association; approved June 16, 1871

Resolution granting permission to John Horst to erect fenders or posts on his premises, between Eastern avenue and Hammond alley; approved June 16, 1871.

Resolution appropriating three thousand dollars to defray the expenses of the National Commercial Convention; approved June 16, 1871.

Resolution authorizing the City Commissioner to lay flagstones across Pratt street at its intersection with Penn street; approved June 16, 1871.

Resolution appropriating \$12,000 for the repairs of the Western Female High School, Male and Female Primary School No. 4, and Male and Female Grammar School No. 15 ; approved June 16th, 1871.

Resolution authorizing the Water Engineer to erect a fire-plug on the corner of Light and Randle streets, and at the corner of Hanover and West streets ; approved June 16th, 1871.

Resolution for the removal of an old pump-stock at the northeast corner of Eastern avenue and Spring street, and of an old pump-stock, No. 101 Ann street ; approved June 16, 1871.

Resolution appropriating \$700 to increase the water mains leading to McHenry street, West of Poppleton street ; approved June 23, 1871.

Resolution appropriating \$2,500 to have cleaned Harford Run, and the further sum of \$250 for the purchase of deodorizers ; approved June 23, 1871.

Resolution for flag-stones at the corner of Howard and Saratoga streets ; approved June 23, 1871.

Resolution authorizing John T. Ford and Wm. McClellan, to lay a drain pipe to McClure's Dock ; approved June 23, 1871.

Resolution for flag-stones on Broadway, between Canton avenue and Baltimore street ; approved June 23, 1871.

Resolution appropriating \$100 to raise the grade of Baltimore street at the intersection of Schroeder street ; approved June 23, 1871.

Resolution appropriating \$350 for a fountain and water trough at the northeast corner of Poppleton and Columbia streets ; approved June 23, 1871.

Resolution appropriating \$200 for H. Stultzenbach for loss of horse killed by Fire Engine No. 1 ; approved June 23, 1871.

Resolution for a fire alarm box at the intersection of John street and Boundary avenue; approved June 23, 1871.

Resolution appropriating \$500 for the repair of Male and Female Grammar School No. 14; approved June 23, 1871.

Resolution appropriating \$2,500 for Music at Druid Hill and Patterson Park and at Battery Square; approved June 23, 1871.

Resolution appropriating \$500 to the General Dispensary of the Maryland University of Medicine; approved June 23, 1871.

Resolution appropriating \$3,000 for the improvement of Madison Square; approved June 23, 1871.

Resolution appropriating \$10,000 for the extension of the sewer at the intersection of John and McMechin streets; approved June 23, 1871.

Resolution appropriating \$1,600 for the grading and paving of the beds of Monroe and other streets; approved June 23, 1871.

Resolution authorizing the payment of the cost of grading, curbing and flagging Stoddard alley, &c.; approved June 23, 1871.

Very respectfully,

ROBERT T. BANKS. Mayor.

Mr. Trippe moved a committee of two be appointed to invite the Second Branch into convention on a sealed communication from His Honor the Mayor.

The motion was adopted and the Chair appointed, as such committee, Messrs. Trippe and Orndorff.

The committee returned and reported that, there being no quorum present of the Second Branch, they were unable to present the invitation.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and accompanying resolution, which were read:



The Joint Standing Committee on Water, to whom was referred a petition of A. Tell, Thos. Patterson and others, praying that the Mayor and City Council would repeal a resolution said to have been passed by them restricting the free use of water for the purpose of sprinkling the streets of the city, beg leave to report that there has been no such action on the part of the Mayor and City Council as that complained of by said petitioners, the whole control of regulating the water supply of the city being in the hands of the Water Board; any such order as referred to must have emanated from it, and to that source your committee would refer the petitioners for the reasons rendering such action necessary; and they recommend the passage of the following resolution:

G. MORRIS BOND,  
LEWIS EHLERS,  
JOHN M. BRUCE,

*First Branch.*

FREDERICK COOK,

*Second Branch.*

Resolved, That the Committee be discharged from the further consideration of the subject.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Health, to whom was recommitted resolution passed by the Second Branch repealing Resolution No. 187 of the Ordinances of 1864, by which permission was granted to James Nolan to erect a Soap and Candle Factory upon his premises, on Carter Alley, near Jenkins Lane, respectfully beg leave to report that having carefully considered the matter, they believe that the ordi-

nance in question should be repealed, as the said James Nolan, who has never availed himself of the privilege granted, now owns no property in the neighborhood mentioned ; while the fact that the ordinance remains unrepealed, and that under its provisions at some future time a Soap and Candle Manufactory may be erected upon the location indicated, greatly retards the building of dwelling-houses, and is proving a serious injury to the owners of property.

They therefore report back the accompanying resolution and recommend its adoption :

G. MORRIS BOND,  
WM. W. ORNDORFF,

*First Branch.*

A. W. DUKE,  
J. I. GROSS,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That Resolution No. 187, of the ordinances of 1864, granting to James Nolan the privilege of erecting a soap and candle factory within the city limits, be, and the same is hereby, repealed.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.;

Mr. Torsch offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of \$10,000 be, and the same is hereby, appropriated and the same to be paid to the proper committees of Knight Templars who have charge of entertaining the visitors of that order from the different parts of the country, the same to be paid out of any money in the treasury not otherwise appropriated.

On motion of Mr. Sommerlock, the motion was read a second time, by special order.

Mr. Bond offered the following amendment, which was read :

Strike out the word "ten" and insert in lieu thereof, the word "five."

Mr. Trippe offered the following amendment to the amendment, which was read :

Strike out "to be paid to a committee of Knight Templars" and insert "the said sum to be paid to Charles H. Mann, Esq., Grand Commander."

Mr. Torsch accepted the amendment and the amendment to the amendment.

The question recurring on the passage of the motion, as amended, it was declared adopted.

Mr. Randall introduced an ordinance entitled "An ordinance for lettering the city lamps with the names of the estrets, etc., of the city," which was read.

On motion of Mr. Johnson, the ordinance was referred to the Joint Standing Committee on City Property.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have the earth removed from the bed of Hughes street, between Covington street and Johnson street (or Battery avenue), and that the sum of three hundred dollars, or so much thereof as may be required, be, and the same is hereby, appropriated to pay for the same, the amount to be taken out of the appropriation for highways for 1871.

On motion of Mr. Berry, the resolution was read a second time and adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, Sept. 13, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening it stand adjourned until Monday afternoon next, at 5 o'clock.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Johnson, the Branch concurred in the message.

Mr. Berry offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized and directed to have the pump at the northwest corner of Sharp and Hill streets put in good repair, by a new stock, &c., the expenses of the same to be taken out of the annual appropriation for pumps for 1871.

On motion of Mr. Berry, the resolution was read a second time, by special order, and adopted.

Mr. Ehlers offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Wm. S. Redgrave to sink a well in front of his premises, No. 111 Camden street, at his own cost, for the purpose of draining his cellar, to be done under the supervision of the City Commissioner.



On motion of Mr. Ehlers, the resolution was referred to the Joint Standing Committee on Water.

Mr. Orndorff offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to cause a sewer to be constructed along the centre of the bed of Mulberry street from Carey street to Republican street, and that the sum of \$3,500, or so much thereof as may be necessary, be, and is hereby, appropriated to pay for the same, the amount to be taken out of any money in the treasury, not otherwise appropriated.

On motion of Mr. Price, the resolution was referred to the Joint Standing Committee on Highways.

Mr. Orndorff offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, authorized

to have the pump on West Baltimore street, in front of the premises recently occupied by the Baltimore City Passenger Railway Company, put in good repair, the expense of the same to be taken out of the annual appropriation for pumps for 1871.

On motion of Mr. Smyrk, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Weitzell, the Branch adjourned until Monday afternoon next, September 18, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Monday, September 18, 1871.

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The Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., President, and all the members except Mr. Johnson.

Mr. Price presented a petition from Peter K. M. Rucker and others, doing business in the Richmond Market, for the construction of a cellar under the new market-house, which was read and referred to the Joint Standing Committee on Markets.

Mr. Orndorff presented a petition from John T. Ford for the payment of a reasonable sum to him for a lot taken by the Street Commissioners for the opening of Baker street, which was read and referred to the Joint Standing Committee on Claims.

Col. Wm. Robertson, Secretary to the Mayoralty, appeared at the Bar of the Branch with a message from His Honor the Mayor.

The President presented the following message from His Honor the Mayor conveying a communication from H. L. Whitridge, Esq., and other Commissioners of the Harbor and River Relief Board of Baltimore, which were read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, September 18, 1871.

*To the Honorable the Members of the  
First and Second Branches of the City Council:*

GENTLEMEN—

I have the honor to enclose to you a communication from the "Commissioners of the Harbor and River Relief Board of Baltimore," requesting that the Mayor and City Council will authorize the Register to pay over to them "the sum of ten thousand dollars required for the efficient use of the new ice-boat now in course of construction."

Section 5 of chapter 243, Acts of the General Assembly of Maryland, session 1867, authorizes said Board to make requisition upon the Register of the city for said amount (\$10,000), or so much thereof as may be required annually "for the efficient navigation and use of said steamer for the purposes" indicated in said Act. The Mayor and City Council are also "required and authorized to make provision for" the payment of the ten thousand dollars as aforesaid "by proper assessment and levy from time to time in the usual way." As the Chesapeake, the original ice-boat, built in pursuance of the law of 1867, was lost last year, it seems to have been supposed that the amount in question would not be needed this year, hence no provision by assessment and levy was made for its payment.

The new boat, I am glad to say, is nearly ready to be launched; the money asked for will soon be needed; it is important that there be no embarrassment in the way of her efficient use during the approaching winter.

I beg to give the matter to your consideration.

Very respectfully,

ROBERT T. BANKS, *Mayor*.

OFFICE OF COMMISSIONERS OF THE HARBOR  
AND RIVER RELIEF BOARD OF BALTIMORE,  
Baltimore, Sept. 13, 1871.

*To the Honorable the Mayor and  
City Council of the City of Baltimore :*

GENTLEMEN—

The Commissioners for the Harbor and River Relief Board would respectfully ask that they appropriate and authorize the Register to pay to the order of H. L. Whitridge, Treasurer, the sum of ten thousand dollars required for the efficient use of the new ice-boat now in course of construction, and in accordance with the Act of the General Assembly of Maryland, January session, 1867, creating the Harbor and River Relief Board of Baltimore, chapter 243, and provisions of section 5 of said Act.

H. L. WHITRIDGE,  
WM. S. YOUNG,  
ROBT. N. KIRKLAND,  
Commissioners.

On motion of Mr. Mills, the communications were referred to the Joint Standing Committee on Ways and Means.

The President presented a petition from John G. Medinger and others, for the opening of Forrest street from Douglas to Baltimore, which was read and referred to the Joint Standing Committee on Highways.

The President presented the following communications from the Commissioners for the examination of plans for the Improvement of Jones' Falls, which were read:

*To the Honorable the Mayor  
and City Council of Baltimore,*

GENTLEMEN:—The undersigned "Commissioners for the examination of plans for the Jones' Falls Improvement," appointed by ordinance, approved 19th June last, as soon as officially notified of their appointment, organized, and proceeded to the consideration of the subject matter submitted to them.

One of the gentlemen named in the ordinance, Mr. Frank Frick, declined the appointment, and never qualified; this, however, did not affect the validity of the ordinance, or postpone action thereunder, as by its 4th section, any five of the six named are constituted the Commission.

As soon as the organization was effected, your Commissioners proceeded to make selection of two engineers to the Board.

As this was the most responsible duty devolved upon the Board, some time was consumed in its performance.

The gentlemen selected, Major W. P. Craighill, of the United States Corps of Engineers, and Mr. Strickland Kneass, Chief Engineer of the city Philadelphia, were tendered the appointments, which they accepted. These gentlemen were both personally unknown to the members of the Commission, but were selected solely on account of their eminence and experience in the department of hydraulic engineering. The Board has had no reason to regret the selection it made, but believes, that whatever disposition your Honorable Body may make of the accompanying



report, you will be satisfied, that the subject has been fully, fairly, intelligently and skillfully treated and discussed by the engineers.

The Commissioners, under the terms of the ordinance creating them, are required "to examine all reasonable plans for the improvement of Jones' Falls, and for the relief of the citizens of Baltimore from the dangers and damage incident to its overflow, and report to the Council, as the result of such examination, the plan for said improvement which shall seem to said Commissioners to be, under all circumstances, the best and most expedient."

Under this direction, the undersigned and their engineers have confined their examinations to a strictly engineering view of the question.

Considerations looking to an extension of wharf room, improvement of the docks, &c., &c., have not been entered into, except incidentally. Under the powers conferred on the Commissioners, such examinations were not contemplated; and plans looking to them can be readily, by subsequent legislation, incorporated upon the engineering plan now submitted, without at all interfering with the principle of that plan.

The Commissioners have accepted the plan fully set forth, with the accompanying and explanatory map, in the report of Messrs. Kneass and Craighill (herewith enclosed), and recommend it to the favorable consideration of your Honorable Body.

It will be seen that all plans, which were considered "reasonable," have received the consideration of the engineers, and the respective merits and demerits of each are, it is believed, fairly and thoroughly set forth.

The undersigned would respectfully call your attention to some of the leading features and advantages in the plan herewith submitted

1. If fully carried out, it will secure a channel of sufficient width, always equal to carry off any probable freshet that may occur. The average width of the present chan-

nel is some 70 or 80 feet. The one proposed (which adheres closely to the present bed of the stream, straightening only the more abrupt curves in it) is 140 feet; a width which is to be uniformly preserved from a point north of Madison street to the mouth of the Falls.

In connection with this, we may observe that from Baltimore street to the mouth of the Falls this enlarged width and increased depth will, in a commercial view, be very valuable, giving as it does largely increased wharf facilities, that may be availed of by the class of vessels frequenting our harbor.

2. By the construction of the proposed channel, a very great existing evil will be completely corrected. We allude to the backing of the tide up into the city, to the serious injury of the health and comfort of our people. The plan submitted will effectually prevent this. By raising the bed of the Falls north of Baltimore street, and deepening it south of Baltimore street, the tide will be shut out, and the Falls will flow through the newly constructed channel, a pure and fresh stream.

The increased width of the channel may be utilized, when not required to pass the flood-water, as a public thoroughfare. Of the 140 feet, the width of the new water-way, and the whole of which is to be paved, not more than 20 or 30 feet, will ordinarily be used as a conduit for the water. The remaining space can therefore readily be used as a public highway.

3. The construction of this channel does not render it necessary to fill up the streets adjacent thereto that may be below flood-level, although it is desirable that this should be done, to provide against any possible contingencies; nor does the proposed plan materially interfere with the present grade of streets.

4. The construction of this water-way will make it entirely practicable to enforce police regulations to prevent the pollution of the stream by deposits from either sewage or garbage. These regulations are of paramount import-

ance; the public highways and channel constructed as proposed must be protected by stringent ordinances, strictly enforced against all who would violate their provisions.

5. The plan contemplated will necessitate the construction of bridge-ways entirely different from those now in use.

As long as the bridges are permanent and immovable upon their abutments, as now, they are liable to become obstructions to the debris whenever a freshet occurs, and thus they materially contribute to overflows.

These, however, are details, the arrangement of which will devolve upon the constructing engineer charged with the execution of the plan.

In fact, the report of the engineers is made general, so that a capable engineer, having the execution of the plan entrusted to him, shall not be trammelled in the working up of its details.

6. The estimate for the plan submitted is two million seven hundred and fifty thousand dollars; this is at prices and for quantities considered liberal, with a full allowance for contingencies.

This estimate includes condemnations of property; these were taken from the report of Messrs. Bouldin, Blake and McNeal, recorded in previous reports—these gentlemen having been appointed a special commission to estimate for the valuations of condemned properties.

The above estimate may to some, seem large; but the work to be accomplished is vast, and the evil to be removed great and ever-recurring.

The undersigned are satisfied that no "cheap" solution of the Jones' Falls problem will prove either permanent or efficacious.

If complete, effectual and permanent relief can be secured by the plan proposed; if the apprehensions of loss of property and loss of life, which many of our people now have, who live contiguous to the Falls, can be entirely removed; if properties now valueless, but only so, because of the ever present fear of overflows, can be reclaimed, and made to en-

hance largely the area of our taxable basis ; if the impaired health of a large portion of our people can be restored ; and if that, which now breeds disease and death, can be purified and beautified—is the proposed cost too much for the blessings promised?

We think not ; but this question is for your honorable body to determine.

We would direct your special attention to the suggestions with the reasons therefor, contained in the report of the engineers at page 31 of that paper, as to the necessity of fixing, at an *early day*, the lines of the Falls north of Eager street.

In conclusion, we would recommend, though these suggestions we are about to submit are outside of the strictly engineering view of the question :

1st. If the plan now reported shall meet with your approval, that, in connection therewith, streets of the width of 66 feet should be laid out from Baltimore street to Lombard street, on the west side of the Falls, and streets of a similar width on its east side, from Baltimore street to the mouth of the Falls ; thus affording ample room for access to the proposed increase of wharfage front.

2nd. That the depth of the Falls south of Baltimore street shall be made to conform to the depth of the basin where the Falls discharge into it.

3rd. That those charged with the execution of the plan should be directed to consider the propriety of making a tunnel under the Falls at some one of the streets south of Baltimore street, with a view of dispensing with the bridges, which must necessarily interfere with navigation, should the proposed dock be made and used.

Tunnels, similar to the one contemplated, have been made in other cities, and are now in successful operation.

We think, therefore, that the experiment might be made here.

Accompanying these documents, you will find a statement of the sums expended to this date, and for what purposes from the appropriation made ; from which it will



appear, that of the five thousand dollars appropriated, there now remains unexpended in the hands of the City Register the sum of twenty-eight hundred and thirteen dollars and fourteen cents (\$2813.14.)

All of which is respectfully submitted,

H. CLAY DALLAM, *Prest.*  
WM. DEAN,  
F. B. LONEY,  
GEO. W. BENSON, M.D.  
P. P. PENDLETON,

Commissioners for the Examination of Plans for the  
Jones' Falls Improvement.

BALTIMORE, Sept. 16, A.D., 1871.

*The Mayor and City Council of Baltimore, for the Jones' Falls  
Commission, Dr.*

To H. Clay Dallam's expenses to Philadelphia and return .....	\$13 25
Paid by H. Clay Dallam, Esq., for telegrams.....	2 46
To Strickland Kneass, for services as engineer—33 days, at \$25 per day.....	825 00
To W. P. Craighill, for services as engineer—33 days, at \$25 per day.....	825 00
To P. P. Pendleton—expenses to Philadelphia, blank books, telegrams, &c.....	17 78
To Porter .....	3 00
To papers .....	4 80
To Wm. Popp, assistant engineer.....	104 00
To Chas. Humphreys, rodman .....	37 50
To Jno. Ward & Bros.....	33 00
To Kelly, Piet & Co. ....	117 50
To S. E. Turner & Co .....	3 57
To D. Sprigg Hall, two months' service.....	200 00
	<hr/>
	\$2,186 86
	<hr/> <hr/>

BALTIMORE, September 16th, 1871.

Amount of appropriation .....	\$5,000 00
“ expended .....	2,186 86
	<hr/>
Balance unexpended .....	\$2,813 14

REPORT OF THE ENGINEERS TO THE  
COMMISSION.

BALTIMORE, MD., Sept. 5th, 1871.

*To Messrs. H. CLAY DALLAM, P. P. PENDLETON,**F. B. LONEY, WM. DEAN, DR. GEO. W. BENSON,  
Commissioners of the Jones' Falls Improvement.*

GENTLEMEN :

The undersigned, to whom has been referred the important duty of proposing such a treatment for Jones' Falls, that the city of Baltimore may be thereby secured from the serious results heretofore experienced during floods in that stream, have given the subject careful attention, and read with great interest the many suggestions that have been made, professionally and otherwise, and submitted to us. The matter is one of great importance to your city, and we have endeavored to profit by the extended investigations that have been already made concerning it. We have found, that the very short time allotted would not permit the minute examinations and careful surveys, required to enable us to submit detailed plans and estimates. Nevertheless, we have confidence in our conclusions, and believe them to be correct. Our estimates are of necessity, in a *technical* sense, *approximate*, and subject to such minor changes as the constructing engineer, might, in the adjustment of his details, find to be necessary.

We have, however, made them *full*, preferring to err, if at all, in the direction of overestimation, rather than the reverse.

## CLASSIFICATION OF PLANS.

The principal plans, which have been laid before us, may be classified as :

The Diversion Plan,

The Storage or Reservoir Plan,

The Direct Drainage Plan.

The Diversion Plan, so fully amplified by Messrs. Latrobe, Trimble and Tegmeyer, in their report, plans and

profiles, required but little field examination. This has, however, been given.

The Reservoir Plan is necessarily treated on general principles, as it has been impossible to have such examinations and surveys made as are required to determine definitely the proper locations of dams, with their storage capacities. We have therefore, in our estimates assumed (upon a professional report submitted by one of your resident engineers of experience and personal knowledge of the ground), that sites for the required number of reservoirs, of the capacity therein stated, may be obtained.

The Direct Drainage Plan we have closely scrutinized, and made some instrumental examinations, as will appear from the drawings connected with this report.

#### WANT OF SATISFACTORY DATA.

In the outset of our task, we were met by the great want of absolutely satisfactory data, upon which to base the necessary computations; but after well weighing the results of enquiry, and determining the area and character of the region drained, we believe we have assumed such probable delivery of storm water, as is reasonably in excess of the flood of 1868. With these data, we have computed the capacities of channels, as heretofore proposed, that we might be able to form a proper judgment as to their comparative costs.

#### EVILS TO BE CORRECTED.

The question, "What shall be done with Jones' Falls?" has long perplexed the people of Baltimore, especially those who are subjected to the dangers and annoyances arising from the passage of that stream through the city. If the Falls were always *limpid, pure and tranquil*, it would be neither dangerous nor disagreeable. Unfortunately, these are not its characteristics.

It is subject to freshets, which cause it to spread beyond its ordinary limits, and in its angry course to bring destruction to life and property. While in this condition it is also the agent in making large deposits of material in the basin

and harbor, which are prejudicial to the interests of commerce, and very expensive to remove. At its ordinary stages it is the cause of continued depositions in the basin, though much less extensive than in times of freshets.

When in its usual state, the stream is also very offensive and unwholesome, because of its filthiness, which is occasioned by its use as an open receptacle for the sewage of the adjacent parts of the city.

The main trouble connected with Jones' Falls, as we now find the stream, seem, therefore, in few words to be the following: *overflows, silting up of the basin and harbor, and filthiness.*

How shall these be remedied? The filthiness of the stream can be greatly corrected by the construction of ample sewers near it, but not emptying into it. This is an important step towards the improvement of Jones' Falls, wherever its future channel may be placed, whether diverted from the city or carried through the city, in a straight or curved direction.

Most of the sewers of the city must, eventually, empty into the basin, and render that body of water no less filthy than if some of them poured their contents into it, via the falls. However strict may be the regulations adopted, and however great may be the diligence used in enforcing obedience to these regulations, the waters of the basin will always be more or less polluted with the drainage of the city, and by other agencies. These polluted waters will continue to ascend the Falls as far as the level of high tide reaches.

Again, we can only consider as really available at any point for the discharge of floods from the falls, its area above high water. It is therefore not only permissible, considering what is necessary for the discharge of floods, but desirable with a view to correct filthiness, to raise the bottom of the whole or a portion of the stream, so as to exclude the tide altogether; or, this may be done below any selected street, as for instance Baltimore street. We are thus rid of the filtniness, as high up as desired, and permit a certain portion of the stream to be used for navigable and commer-



cial purposes if desired. With suitable protective ordinances, by which the pollution from city sewage may be nearly, if not altogether, excluded, we may thus have the waters of the stream to flow through the city in a condition nearly as pure as they are delivered at its outer limits. Jones' Falls would then become an ornament rather than a nuisance.

A good method of correcting, to a great extent, the filthiness of the basin, is to arrange near the outlet of each sewer a receptacle, where the most corrupting elements may be caught, purified and removed. Private sewers emptying into the basin should be strictly prohibited. The great sewers, after receiving the contents of the smaller, should be few in number, when they reach the basin. It will be neither difficult nor expensive to prepare for each of these large sewers, in the dock in which its mouth will be located, such a receptacle as has been referred to above, where the more solid matters may be collected and removed at suitable intervals.

The silting up of the basin, during the ordinary stages of the Falls, is small. The deposition is greatly increased in times of floods, but it is an evil that must be endured, rather than in its correction (by diversion) to bring others far more dangerous and expensive. The present arrangement for the circuitous entrance of the Falls into the basin at the City Dock, was doubtless due to a desire to intercept the sediment brought down by the stream, before it could pass into the basin, and thus to reduce greatly the amount of deposition in the basin, while rendering the removal of the material more easy, from the contracted area where it would collect in the City Dock. This remedy, though partial, is yet of sufficient value to be adhered to, were it not for the obstruction caused by it to the free discharge of the stream in floods, and its consequent damming back in the city.

#### THE PLAN OF DIVERSION.

Although, for the evil of overflows, the diversion of the stream around the city is, in the opinion of some persons, a complete remedy, and is also a nearly complete pre-

vention of the silting up of the harbor, yet it is liable to very grave objections, which in our judgment are sufficient to forbid its adoption, notwithstanding its attractive characteristics.

The scheme of diversion is very expensive. According to the cheapest route laid down by Messrs. Latrobe, Trimble & Tegmeyer, the cost would be certainly not less than \$6,000,000. We have revised their estimate and are of the opinion it should be increased not less than thirty-three per cent. Such an increase would bring up the cost of that plan to about \$8,000,000. Diversion by the way of Harris creek is only a half remedy and would cost not less than \$4,500,000.

There are other great objections to the scheme of diversion. If the tunnel should become choked by the debris always attending a freshet, a danger which *would be constantly impending*, the consequences would be terrible to life and property in the city. If the dam, another essential of the diversion plan, should yield, another danger constantly threatening, the scheme fails and ruin follows.

If the tunnel be entirely replaced by an open channel, the *dangers* of diversion are greatly diminished, but the expense is vastly increased; besides the introduction of other objections. Diversion would also abstract from the basin a large amount of fresh water, the loss of which would materially affect its condition, in a direction highly detrimental to the health of the portion of the city immediately surrounding it, and as a consequence that of the whole city.

Instead of *withdrawing* from the basin the waters of Jones' Falls, kept pure as they may be by the method proposed by us, it is very desirable that an *additional* stream of fresh water, should, if practicable, at reasonable expense, be poured into it.

If the line of diversion, proposed in the interesting report of Messrs. Latrobe, Trimble and Tegmeyer, were adopted, consisting in part of a very expensive tunnel and in part of an open channel, it would be but transferring the Jones'

Falls channel of to-day, with all its fetid exhalations and disgusting exhibitions, from one section for its benefit, to another section to its detriment, the latter being a section of your beautiful city that is now rapidly improving and is capable of becoming a most attractive portion of it. The work you have in contemplation is not for this generation only, and it would therefore appear unjust, to transfer what is now deemed prejudicial to health and property, to another part of the city, where its baneful influences would seriously affect the character of the improvements already begun and projected. Should your commission incline to the adoption of the plan of diversion, it is probable a more advantageous route may be found, by diverging at a point on the Falls not far above Stony run, along a line running nearly east to Tiffany's run, and thence to Back river. The positive determination of this question would require more time for careful surveys and estimates than we have been able to give to it. The plan of diversion by any route has the inherent objections already alluded to.

#### THE PLAN OF RESERVOIRS.

The idea has occurred to many persons, of collecting the flood water in suitably prepared reservoirs, with dams and gates arranged for its delivery, in quantities adjusted to whatever capacity may be assigned to the channel of the Falls in the city.

This plan of reservoirs is quite attractive, and we have deemed it our duty to submit an estimate concerning it. Our studies lead us to conclude, that the adoption of this plan would require the construction of not less than seven reservoirs on Jones' Falls, above the city limits. We have not had the time for such surveys of the stream, as would enable us to say, from our personal knowledge, that proper sites for seven reservoirs of sufficient capacity can be found. Taking for granted they may be found, unless the first of the series were near the city, much of the country, whose rain-water would pass into Jones' Falls, would necessarily be below them, and the object of their construction would not be attained, as it would still be necessary to give the stream a more capacious channel in the city than it has at present.



These reservoirs would naturally be in places which are suitable for the sites of mills and factories, and probably already occupied by very valuable properties of that class. These would be flooded and their value destroyed. Great injury would also probably be caused to the Northern Central Railway, that highly important avenue for the trade of your city. Both of these considerations would enter materially into the question of cost.

Suppose the preceding objections to have no force, the plan of reservoirs is still attended with the ever-present danger of the rupture of the dams, or failure in other particulars, notwithstanding the exercise of all the skill and care the best engineers could give to their arrangement and construction. This failure, if it occurred at all, would be at the very time when it would entail immense destruction in the city—greater destruction, indeed, than if there had been no reservoirs provided. We cannot forget that many men, of sound judgment, are of the opinion that the dam created by the railroad embankment at Lake Roland in the flood of 1868, its sudden rupture and the consequent rush of water towards and into the city, had much to do with bringing the water to the very high level it reached in the city. Unquestionably, we might expect that a rushing, mighty wave, due to the rupture of a dam, would carry away bridges, trees, &c., which might have withstood the same quantity of water passing more gradually. This debris, accumulating in the downward progress of the wave, becomes a battering ram for each successive obstacle, which in turn adds to the force of the onslaught on what is next below it. The use of the reservoir plan is an ever-recurring and highly dangerous experiment.

We have been informed that the construction of additional reservoirs is certainly desirable, perhaps necessary, for the purpose of storing up more water for the use of the city than is at present afforded by the Water Department. If such be the case, and these reservoirs are to be immediately constructed, the dimensions of the channel of Jones' Falls may be made less than would otherwise be adopted, provided the risk is taken to which reference has been made. This danger increases rapidly as the size and capacity of reservoirs are increased, and as a consequence, the height of the dams.



If the reservoirs for the relief of Jones' Falls were at the same time maintained as a part of the arrangements for the water supply of the city, they would, while fulfilling their function last mentioned, be full of water, or partly so, and thereby incapable of affording needed relief to the Falls in times of floods, when only they would be required for that purpose.

If you should adopt the reservoir plan, and are content to leave the stream in the city in its present disagreeable condition, and take the risks which have been pointed out, the cost will be about \$1,250,000.

If the stream in the city below Eager street has its curves lessened where they are too abrupt, its grade regulated and the bottom paved, rectifications we think it should receive, the cost of the whole arrangement, including reservoirs, will be about \$2,500,000, with the risks of failure still constantly in view, as pointed out above.

The cost of reservoirs we estimate to be.....	\$1,050,000
Ordinary land damages on sites occupied by reservoirs, including probable destruction of mill sites, &c.....	250,000
The rectifications and ameliorations which the stream should receive in the city, in connection with the reservoir plan, with contingencies, we estimate at.....	1,200,000
Total.....	<u>\$2,500,000</u>

#### THE DIRECT DRAINAGE PLAN.

An effectual preventive of danger from floods, would seem to be, to give the channel in the city such dimensions as will enable it to convey to the basin the waters of any probable freshet, and to build the containing walls in such a manner that they will be water tight. This we call the Direct Drainage Plan. As, however, to do this and no more would leave a large section of the city exposed to the possible danger of rupture, either by design or accident, at some point or points of the retaining walls, and to certain and

sudden overflow in case of such rupture, it follows clearly that the attainment of perfect safety makes it absolutely necessary to raise up to or above flood level, the whole district subject to overflow.

#### FILLING FLOODED AREA.

The danger of rupture of the walls in the city, and the consequence of such a rupture, would be far less than in either the diversion plan or the reservoir plan. We consider this danger small.

The estimates below show, without considering the value of the property itself, how many cubic yards of earth will be required to fill up the flooded area to the flood level, or to fill it in part, leaving a portion still exposed to overflow to a less depth. This partial filling would bring the submerged area up to the level attained by any known flood in this stream previous to 1868. The depth of water would thus be much lessened, and the danger much decreased, supposing that subsequent floods were as high as that of 1868, and that the retaining walls were broken through at some point. The flooding and the danger would be proportionately less, as the subsequent floods fell short of that of 1868, which exceeded all previously recorded floods in the city. Still another proposition may be considered, viz: to fill up only the streets to the level of the floods, at the public expense, and to require the respective owners of property to fill their own lots, or to leave them unfilled and subject to overflow, if they preferred.

To fill up the submerged district above Pratt street to the line of the flood of 1868, will cost:

West of Falls, 722,000 cubic yards, at 50 cts.....	\$361,000
East of Falls, 120,000 cubic yards, at 50 cts.....	60,000
	<hr/>
	\$421,000

To fill up the submerged district above Pratt street, to the line of the flood of 1837, will cost:

West of Falls, 188,200 cubic yards, at 50 cts.....	\$94,100
East of Falls, 50,000 cubic yards, at 50 cts.....	25,000
	<hr/>
	\$119,100

To raise up only the streets to line of flood of 1868, will cost:

West side, 250,000 cubic yards, at 50 cts.....	\$125,000
East side, 65,000 cubic yards, at 50 cts .....	32,500
	<hr/>
	\$157,500

To raise streets to line of flood of 1837:

West side, 80,000 cubic yards, at 50 cts.....	\$40,000
East side, 20,000 cubic yards, at 50 cts .....	10,000
	<hr/>
	\$50,000

To each of the sums given above should be added \$20,000, to cover probable expenses of repaving, &c.

The total assessed value of property in the flooded district is stated by Messrs. Latrobe, Trimble and Tegmeyer to be about \$8,000,000. The values after filling would doubtless be so much increased, as to more than compensate for the cost of filling and consequent alterations in structures.

#### BRIDGES.

It is a fact not to be denied, that in all former floods the bridges over the stream have been the means of catching the driftage, damming back the water, and greatly increasing its depth in the flooded district. Persons of sound discretion and reliable judgment, who have witnessed more than one disastrous flood, are decidedly of the opinion that the action of the bridges, just referred to, has been very great in causing floods in the city. There will be no excuse if this cause of trouble continues in the future. The bridges should certainly be placed so high, and be so constructed, as to be out of all danger of obstructing the drift; or else be so arranged (as they may be) as to swing out of the way in time of dangerous floods, while remaining perfectly stable at ordinary times.

PLANS OF MR. TYSON, AND OF MESSRS. LATROBE, TRIMBLE AND  
TEGMYER.

It is perhaps proper we should say, that in our opinion, either the plan of Mr. Henry Tyson, or the straight channel of Messrs. Latrobe, Trimble and Tegmeyer (which does not differ materially from Mr. Tyson's), or the curved line of Messrs. Latrobe, Trimble and Tegmeyer, would serve to secure the city from further danger from floods in Jones' Falls, but from our point of view, we see no sufficient reason for moving the stream so far from its present position, as required by the proposed straight channel, or for moving it at all, except to diminish the curvature in some places where it is now so considerable as to offer obstruction to the free flow of the water. As to the moving of the bed of the stream from one part of the city to another, considered as a question of municipal policy, turning upon the relative values of properties under different circumstances, we suppose we should pass the limits of propriety in giving any opinion whatever. As a question of engineering, we think such movement unnecessary.

So also we refrain from detailed criticism, as to the mere incidentals of those plans, viz: the proposed avenues; the increase of depth in the Falls, in its higher parts, for the purposes of commerce, &c. These are questions of city policy entirely. We deem it, however, proper to express the belief, founded on an examination of the estimates given by those gentlemen, that the incidentals just referred to, may be had, if desired by the city, at costs not greatly exceeding those indicated in the reports of Mr. Tyson, and of Messrs. Latrobe, Trimble and Tegmeyer, if a proper allowance for contingencies, and a revised amount for land damages be added. When these needed additions to their estimates are made, they will very nearly approximate our own estimate hereinafter submitted.

Those plans provide for making the Falls, as improved, available for commercial purposes quite high up in the city. Our suggestions contemplate such a use of the stream as high up as Baltimore street. If this portion, thus arranged, proves valuable for commerce, it will be very easy to deepen the bed still higher up, at any subsequent period, when required.



## CONCLUSION.

It will be apparent from what has gone before, that we do not favor either the plan of diversion or the plan of reservoirs, although we have endeavored fairly to lay before you the advantages of, and the objections to, both those plans, as well as their respective probable costs, if either of them should be adopted by you and properly carried out.

Our opinion as to the proper treatment Jones' Falls should receive, has already been indicated in the preceding pages of this report, but we desire again, in conclusion, to bring out prominently the main ideas embodied in that opinion. The valley of the water-shed, as determined by nature herself, should be adhered to; the channel therein adjusted and improved as to alignment, to such an extent as the advantages gained by the expenditure would warrant; and with its capacity so proportioned, that in no contingency it would be unequal to the demands upon it. This is the strictly engineering view of the case. A channel for the stream has therefore been proposed, lying as closely to that now in use as a due regard to a proper alignment would direct, having a width and depth proportioned to the delivery required of it, and such as will to the least possible extent interfere with the existing arrangement of street levels, injuring property as little as possible, and looking to the utilization of existing streets, as borders to the new channel. The public mind may, by its adoption, be relieved from the weight of apprehension of the dangers of ruptured dams and careless use of gates and machinery, an apprehension inseparable from the plans of diversion and reservoirs.

The accompanying plan and profile exhibit the arrangement<sup>t</sup> proposed. It may be briefly described, as follows: From Eager street the channel expands to a width of 140 feet at Monument street, and this width is thence maintained to the basin. The height of walls is regulated, in connection with the width of channel and the slope of bottom, to give sufficient space for the discharge of floods, while interfering but little with present grades of streets.

The bottom is placed high enough to exclude the tide

above Baltimore street, and with it the fetid water of the basin. It should be paved as far down as Baltimore street for the free passage of the water. Inasmuch, also, as the size of the channel is regulated for the delivery of great floods, which will probably occur only at long intervals, the bottom may be so arranged, that a sufficient portion of it being left for the stream in its ordinary condition, the remainder, which is the greater part, may be utilized as an ordinary road for footmen and vehicles, becoming practically a principal street of the city, readily accessible from the side streets; or, it may be used as the bed of a railway, for the conveyance of freight between tide water and the upper part of the city. The heights of bridges give adequate head-room.

Below Baltimore street the channel may have any depth deemed necessary for commercial purposes.

At the lower side of Eager street bridge, may be provided gates, similar to those of a canal or ship-lock, by closing which the water can be held above them, so as to allow, when desired, a rush through the lower parts of the Falls. By this means the Falls in the city can be swept clean (so to speak) by its own waters. A current can thus be also generated through the harbor below the Falls, in which the sluggish waters of the upper basin may be drawn to participate, especially on the ebb tide.

The bridges should be sufficiently high to be out of all danger of catching driftage, or be so constructed as to swing out of the way in time of high floods. Underground conduits should be provided on the west side, to carry off the storm-waters of the area which is too low to drain into the Falls. These are indicated on the plan. If city sewage be carried into these conduits, we propose that they be carried out to the ends of wharves, and that receptacles be arranged, as previously explained, into which all sedimentary matter should fall, to be cleaned out as occasion requires.

The storm-water on east side of channel, and on west side above Monument street, may pass into the proposed waterway; but all garbage and city refuse of all kinds, and the

connection of city sewers therewith, should, by the most stringent regulations, rigidly enforced, be excluded.

A liberal estimate for what has been proposed brings its cost to \$2,750,000. In this sum is not included the cost, which is given elsewhere, of filling up to flood-level the district liable to overflow.

As the city is rapidly extending over the ground through which the stream runs above Eager street, it is a matter of very great importance that a channel of ample width be fixed in that section, not to be encroached upon in any way; and that a proper height be determined for the channel walls, to which all building sites should be raised. The course of the stream should be much straightened. Several abrupt bends need rectification above the Belvidere bridge. The very great bend near the Belvidere bridge demands special attention at an early day. Unusual width should be provided and insisted upon, as a compensation for the sudden and great change of direction the water necessarily takes at that point of its descent.

We have the honor to be, very respectfully,  
Your obedient servants,

WM. P. CRAIGHILL,  
STRICKLAND KNEASS.

On motion of Mr. Trippe, that the report be referred to the Joint Standing Committee on Jones' Falls, Mr. Torsch demanded the yeas and nays, resulting as follows:

*Yeas*—Messrs. Weitzell, Trippe, Kernan, Torsch, Bond, Price, Randall, Freeberger, Ehlers, Orndorff, and Crout—11.

*Nays*—Messrs. President, Hudgins, Bruce, Smyrk, Mills, Ward, Sommerlock, and Berry—8.

The report was referred to the Joint Standing Committee on Jones' Falls.

Mr. Torsch offered the following resolution, which was read:



Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, directed to pay the sum of \$1,000 to the widow of the late John H. Richards, who lost his life whilst in discharge of his duty as detective in the police department of Baltimore.

On a motion by Mr. Torsch, that the rules be suspended for a second reading, Mr. Ward demanded the yeas and nays, resulting as follows :

*Yeas*—Messrs. President, Mills, Kernan, Ward, Torsch, and Crout—6.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, and Orndorff—13.

The Branch refused to suspend the rules and the resolution was declared laid upon the table.

Mr. Bond introduced an ordinance, entitled an ordinance, to add an additional section to Article 23, of Baltimore City Code, entitled "Health," which was read and referred to the Joint Standing Committee on Health.

Mr. Price offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Eutaw Place, from Mosher street to Wilson street, and the City Commissioner be directed to place the gas lamps necessary for properly lighting the said street.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Torsch, the Branch adjourned until tomorrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Tuesday, September 19, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Smyrk, Kernan, Ward, and Johnson.

Mr. Weitzell presented a petition from Henry A. Inloes, and others, for the removal of the boiler factory of Edwin Frazier & Co., Thames street between Ann and Wolfe streets, which was read and referred to the Joint Standing Committee on Fire Department.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred the memorial of the Maryland Central Rail Road Company, respectfully report that the prosperity of the city, aiding said company in the construction of its road, has already been determined in its favor by the action of a preceding Council, and the votes of the citizens approving the same, and the only matter before your committee for its consideration, was the form in which such aid should be given. In every instance in which the corporation has aided works of internal improvement and taken as security first mortgage bonds, it has been found impossible by the companies so aided, to carry out their work, and the city has either greatly enlarged its endorsement or withdrawn the lien of its first mortgage in form of a second, that the end of its subscription may be obtained. That the aid extended in this instance may be a valid and substantial, indeed of a nominal one, and so avoid delay consequent upon the almost certain necessity after many more months of trial of returning again to this body for legislation similar to that now asked for, and the consequent delay in the commence-

ment and construction of a road which leading through the richest agricultural sections of the state and over vast beds of limestone and marble, mines of iron ore and the largest slate quarries of the country, must benefit the trade of our city beyond any prudent calculation. Your committee have digested and prepared an ordinance, which, while protecting the city if adopted and ratified by the votes of the people, will make the Maryland Central Railroad, in a few years, an accomplished fact.

The ordinance which accompanied the memorial your committee do not think sufficiently protected the city's subscription, inasmuch as the creation of an unlimited bonded debt made its foreclosure and the consequent loss of the city's interest highly probable. Your committee, to avoid this contingency, have limited the amount to be raised on bonds to \$750,000 or about one-third the cost of the road, requiring the balance necessary to build and equip the road to be obtained by stock subscription with no preference to any stockholder over the city. It is believed that this limitation of the mortgage bonds puts beyond all reasonable probability the sale of the road to satisfy their lien. Before any payment is made to the company under the provision of this ordinance, the Commissioners of Finance must be satisfied that a sufficient amount of money has bona fide been subscribed to build and equip the road, and one-third already paid in. The line must be determined, the right of way obtained and the contract for the construction of the whole road entered into and its legal validity approved by the City Solicitor before the city subscription is to be paid, and then only in such sums as may actually be needed.

Your committee, therefore, believe that by the passage of this ordinance a great public improvement will be substantially aided and the city subscription amply secured. They submit the accompanying ordinance and ask its adoption.

A. C. TRIPPE,  
H. CROUT,  
BENJ. PRICE,

*First Branch.*

CHAS. G. KERR,  
WM. H. VICKERY,

*Second Branch.*

Mr. Trippe moved that the report and ordinance be laid upon the table, and made the special order of the day for Thursday afternoon next at 5½ o'clock.

Mr. Mills moved to amend by inserting "Monday" instead of "Thursday."

The question being on the passage of the amendment, the yeas and nays were demanded by Mr. Mills, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Mills, Torsch, Sommerlock, Freeberger, Ehlers, and Orndorff—8.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Bond, Price, Randall, Berry, and Crout—8.

The amendment was declared lost.

The question recurring on the adoption of Mr. Trippe's motion, Mr. Sommerlock demanded the yeas and nays, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Trippe, Bruce, Price, Randall, Berry, Orndorff, and Crout—9.

*Nays*—Messrs. Weitzell, Mills, Torsch, Bond, Sommerlock, Freeberger, and Ehlers—7.

The motion was declared adopted, and the report and ordinance were declared to be the order of the day for Thursday afternoon next at 5½ o'clock.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Water, to whom was referred the petition of Philip Bunn, asking permission to sink a well at the corner of Howard street and Welcome alley, beg leave to report that they believe the petition should be granted, and recommend the adoption of the following resolution :

G. MORRIS BOND,  
LEWIS EHLERS,  
JOHN M. BRUCE,

*First Branch.*

FREDERICK COOK,  
*Second Branch.*



Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Philip Bunn to sink a well at the corner of Howard street and Welcome alley for the purpose of draining a cellar ; provided the same be done at his own expense and under the supervision of the City Commissioner.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Orndorff, from the Joint Standing Committee on Police and Jail, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Police and Jail, to whom was referred the petition of Christopher & Co., to authorize them to lay a two inch wrought iron pipe under the bed of Pratt street from Parkin street eastwardly to McHenry alley, and thence southwardly to the premises of said Christopher & Co., on said alley, respectfully beg leave to report that, having carefully considered the matter, they believe that the petition in question, should be granted and recommend the adoption of the following resolution :

WM. W. ORNDORFF,  
THOS. P. KERNAN,  
S. SANDS MILLS,  
*First Branch.*

JOHN MILROY,  
WM. H. VICKERY,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That Christopher & Co. be, and they are hereby authorized to lay a two inch pipe under the bed of Pratt street from Parkin street eastwardly to McHenry alley, and thence, southwardly to the premises of said Christopher & Co., on said alley, that the pipe shall be laid under the supervision of the City Commissioner, and that the said pipe shall be removed after sixty days notice from the Mayor and City Council of Baltimore.



On motion of Mr. Orndorff, the resolution was read a second time, by special order, and adopted.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Water, to whom was referred the petition of William S. Redgrave, asking the privilege of sinking a well on his premises, No. 111 Camden street, for the purpose of draining his cellar, beg leave to report that they believe the petition in question should be granted, and recommend the adoption of the following resolution :

G. MORRIS BOND,  
LEWIS EHLERS,  
JOHN M. BRUCE,

*First Branch*

FREDERICK COOK,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to William S. Redgrave, to sink a well on his premises, No. 111 Camden street, the same to be done at his own expense and under the supervision of the City Commissioner.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Hudgins offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the Commissioners for Public Schools be requested to close the public schools on Thursday next, on the occasion of the Knights Templar parade.

Mr. Ehlers called up the resolution for the relief of the late John H. Richards, which was read, and, on motion of Mr. Trippe, referred to the Joint Standing Committee on Claims.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the sum of \$1,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated to complete the repairs upon the Western Female High School.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore That the Water Engineer be, and he is hereby, directed to remove the old pump-stock on the corner of Light and Church streets, and to have the well properly secured, the expense of the same to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

The following resolutions were returned from the Second Branch respectively, "adopted:"

Resolution to lay gas-mains on Spring Court.

Resolution to remove old pump-stocks at the corner of Sharp and Little Montgomery streets.

Resolution for appropriation for Knights Templar.

Resolution to repair pump at the northwest corner of Sharp and Hill streets.

Appropriation for Battery Square.

Resolution in favor of George Shower.

Resolution for crossings at corner of Mosher street and Linden avenue.

Resolution to have gutters laid across McHenry street at the corner of Gilmore street, and across Calhoun street at the corner of Pratt street.

Resolution for a flag at the Washington Monument.

Resolution granting permission to James Nolan to erect a soap and candle factory within the city limits.

Resolution adverse to petition of A. Zell and others.

Resolution in favor of John Holdefur.

Resolution to repair lamp on West Baltimore street, in front of premises recently occupied by Baltimore City Passenger Railway Company.

Resolution to withhold contract for printing and stationery.

Resolution to lay gas mains along Republican street, between Saratoga and Republican streets.

The Second Branch returned the following ordinances respectively endorsed "passed: "

An ordinance to condemn and open Orleans street, from Chester to Patuxent street.

An ordinance to condemn and open Gist street, from Baltimore to Monument street.

On motion of Mr. Crout, the Branch adjourned until tomorrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Wednesday, September 20, 1871.

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The Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., President, Messrs. Bruce, Mills, Bond, Freeberger, Orndorff and Crout.

In appearing on a call of the roll that no quorum was present,

On motion of Mr. Crout, the Branch adjourned until tomorrow afternoon, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Thursday, September 21, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Hudgins, Mills, Ward, Torsch, and Sommerlock.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the order of the day, the President accordingly announced the order of the day, being an ordinance entitled "An ordinance to authorize the subscription of \$750,000 to the stock of the Maryland Central Railroad Company in the State of Maryland," which was read.

On motion of Mr. Trippe, the word "new," in the fifteenth line, first section, was stricken out.

On motion of Mr. Trippe, the words "nineteen hundred" were inserted after the word "year," in the fifteenth line, first section.

On motion of Mr. Trippe, all of the thirteenth line, first section, was stricken out except the word "said," at end of line.

On motion of Mr. Bond, the word "four," in third line, fourth section, was stricken out, and the word "three" inserted in lieu thereof.

On a motion by Mr. Ehlers to lay upon the table, the yeas and nays were demanded by Mr. Trippe, resulting as follows:



*Yeas*—Messrs. Ehlers and Johnson—2.

*Nays*—Messrs. President, Weitzell, Trippe, Bruce, Smyrk, Kernan, Bond, Price, Randall, Berry, Freeberger, Orndorff, and Crout—13.

The motion was declared lost.

The question being on the passage of the ordinance, the yeas and nays were demanded by Mr. Orndorff, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Trippe, Bruce, Smyrk, Kernan, Bond, Price, Randall, Berry, Freeberger, Johnson, Orndorff, and Crout—14.

*Nays*—Mr. Ehlers—1.

The title was approved and the ordinance declared passed.

Mr. Bond, from the Joint Standing Committee on Health, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Health, to whom was referred an ordinance supplemental to Article 23, of the Baltimore City Code, entitled "Health," beg leave to report that the filthy condition of many of the unpaved private alleys of the city, demand the immediate attention of this body. These alleys cannot be kept clean unless they are paved, and under present ordinance there is no power to compel owners of property contiguous to] put them in this condition. Under these circumstances your Committee recommend the adoption of the following ordinance:

G. MORRIS BOND,  
WM. W. ORNDORFF,  
JOSEPH G. JOHNSON,

*First Branch.*

A. W. DUKE,  
J. I. GROSS,

*Second Branch.*

An ordinance entitled, "An ordinance to add an additional section to Article 23, of the Baltimore City Code, entitled 'Health.' "

Be it enacted and ordained by the Mayor and City Council of Baltimore, That, whenever in the judgment of the Commissioner of Health the condition of any unpaved private alley is a nuisance, or detrimental to public health, he shall give notice to the owner or owners of the property binding thereon, to grade and pave the same within such number of days as in his judgment the circumstances of the case may demand, and if, at the expiration of the term of said notice, said private alley has not been graded and paved as required, then the Commissioner of Health shall proceed to grade and pave the said alley in the usual manner; and the cost of such grading and paving shall be assessed, and a lien on the property binding thereon, and shall be collected as assessments and liens are now collected on property in the case of public streets and alleys.

On motion of Mr. Bond, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

The following message was received from the Second Branch and read:

IN SECOND BRANCH,  
Baltimore, Sept. 21, 1871.

*Gentlemen of the First Branch:*

We respectfully propose, with your concurrence, that when the Council adjourn this evening it stand adjourned until Monday, October 2, 1871.

By order,

GEO. T. BEALL, JR., *Clerk.*

On a motion by Mr. Trippe that the Branch concur, the yeas and nays were demanded by Mr. Kernan, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Trippe, Bruce, Smyrk, Randall, Ehlers, Johnson, and Orndorff—9.

*Nays*—Messrs. Kernan, Bond, Price, Berry, Freeberger, and Crout—6.

The Branch concurred in the message.

The Second Branch returned the following resolution, endorsed “adopted:”

Resolution to lay gas mains on Eutaw Place.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That the sum of \$10,000, or so much thereof as may be required be, and the same is hereby, appropriated as a contribution to the expenses of the National Commercial Convention, to assemble in this city on the 25th instant.

Resolved, That the City Register be, and he is hereby, authorized to pay the said sum of \$10,000, or so much thereof as may be required, to Robert R. Kirkland, Esq., Chairman of the Committee of Finance.

On a motion by Mr. Trippe that the rules be suspended for a second reading of the resolution, Mr. Johnson demanded the yeas and nays, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Trippe, Bruce, Smyrk, Bond, Price, Randall, Orndorff, and Crout—10.

*Nays*—Messrs. Berry, Freeberger, Ehlers, and Johnson—4.

The rules were suspended and the resolution read a second time, by special order.

Mr. Bond offered the following amendment which was read:

Strike out the word “ten” and insert in lieu thereof the word “five.”

The question being on the passage of the amendment, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. Weitzell, Kernan, Bond, Randall, Berry, Freeberger, Johnson, Orndorff, and Crout—9.

*Nays*—Messrs. President, Trippe, Bruce, Smyrk, Price, and Ehlers—6.

The amendment was declared adopted.

The question being on the adoption of the resolution, as amended, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Trippe, Bruce, Smyrk, Bond, Price, and Randall—8.

*Nays*—Messrs. Kernan, Berry, Freeberger, Ehlers, Johnson, Orndorff, and Crout—7.

The resolution, as amended, was declared adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, directed to have gas mains laid on Liberty alley, from Buren street to Madison street.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch, and read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to make proper arrangements with the Northern Central Railway Company for the paving of Buren street, between Madison and Eager streets, and when such arrangements shall be made the City Commissioner shall proceed to have said Buren street, between Madison and Eager streets, paved in accordance with ordinances already existing.



On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

A report of the joint special committee on Printing and Stationery, with the accompanying ordinance, was received from the Second Branch and read :

The joint special committee to whom was referred, by resolution, the subject of the contracts for city printing and for books and stationery used by the different departments of the city government, beg leave to report that they have given the matter careful consideration. We are satisfied that it would be much better to provide by ordinance that each department shall make its own bargain for printing required by it, as well as for all articles of stationery used by its officers and clerks. We think in this way there will much more likelihood of obtaining whatever it wanted at fair market prices, and a certain responsibility will attach to each chief officer to see that no extravagance or useless expenditure shall be incurred. We think, also, it would be well to exercise judicious restraint over the expenses of the City Council itself in this matter, and suggest the appointment of a joint standing committee, to whose special care and attention the contract for printing the Journal and other public documents, and the purchase of stationery, &c., shall be given.

Having embodied our views in an ordinance, the passage of which we recommend, and which we submit herewith, we beg leave to be relieved from the further consideration of the subject.

J. C. RANDALL,  
G. MORRIS BOND,  
*First Branch.*

A. W. DUKE,  
A. E. SMYRK,  
CHAS. G. KERR,  
JOHN MILROY,  
*Second Branch.*

On motion of Mr. Smyrk, the ordinance was read a second time, by special order.

On a motion by Mr. Price that the ordinance be laid on the table, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. Weitzell, Trippe, Bruce, Kernan, Price, Randall, Berry, Freeberger, Ehlers, Johnson, Orndorff, and Crout—12.

*Nays*—Messrs. President, Smyrk, and Bond—3.

The ordinance was declared laid upon the table.

The following resolution was received from the Second Branch and read:

Resolved by both Branches of the City Council, That the joint committee appointed on the entertainment of the Pittsburg and Wheeling authorities be increased three from each Branch.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

The Second Branch returned the following resolutions respectively endorsed "adopted:"

Resolution to remove earth from the bed of Hughes street between Covington and Johnson streets.

Resolution granting permission to Wm. S. Redgrave to sink a well.

Resolution granting permission to Philip Brum to sink a well.

On motion of Mr. Weitzell, the Branch adjourned until Monday afternoon, October 2, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Monday, October 2, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Smyrk and Kernan.

Mr. Bond presented a petition from Joshua Register and others, for the condemnation and opening of Aisquith street from Point lane to Broadway avenue, Townsend street from Harford avenue to Aisquith street, and Lanvale street from Harford avenue to Aisquith street; which was read and referred to the Joint Standing Committee on Highways

Mr. Torsch presented a petition from Wilson, Burns & Co., for the removal of railroad track on Howard street, between Lombard and Baltimore; which was read and referred to the Joint Standing Committee on Highways.

Mr. Bond presented a petition from James Gallagher for permission to erect a stable on his lot, North Howard street, near Park, which was read and referred to the Joint Standing Committee on Fire Department.

Mr. Price presented a petition from George H. Pagels and others for the erection of a suitable building for Baltimore City College, which was read and referred to the Joint Standing Committee on Education.

Mr. Price presented a petition from P. W. Carmine for compensation for injuries received in the discharge of his duty as a policeman, which was read and referred to the Joint Standing Committee on Claims.

Mr. Berry presented a petition from B. L. Harig and others for the repeal of the ordinance widening Light street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Ehlers presented a petition from Theodore R. Remy for compensation for killing dogs, which was read and referred to the Joint Standing Committee on Claims.

Mr. Orndorff presented a petition from L. Blumenburg and others for the opening of Raborg street between Gilmor and Stricker streets to the width of forty feet, which was read and referred to the Joint Standing Committee on Highways.

Mr. Orndorff presented a petition from R. R. Stewart and others for aid for Drum Point Railroad Company, which was read and referred to the Joint Standing Committee on Ways and Means.

The President presented a petition from Rev. Samuel Shannon and others for abatement of assessment upon a lot of ground, upon which is erected a mission chapel, which was read and referred to the Joint Standing Committee on Claims.

The President presented the following message from his Honor the Mayor, covering the accompanying communication, which were read :

MAYOR'S OFFICE, CITY HALL,

Baltimore, October 2, 1871.

*To the Honorable the President and Members of the  
First and Second Branches of the City Council :*

GENTLEMEN :—

I have the honor to hand you herewith an invitation to attend at the fair grounds of the Frederick County Agricultural Society to participate in the carnival to be held on Wednesday and Thursday, the 11th and 12th of October instant.

Very respectfully,

ROBERT T. BANKS, Mayor.

FREDERICK, Md. Sept. 29, 1871.

*Honorable Robert T. Banks, Mayor of Baltimore :*

SIR : The Committee on Invitation solicit the pleasure of the company of your Honor and the First and Second Branches of the City Council, en masque, at the fair



grounds of the Frederick County Agricultural Society, to participate in the carnival to be held at the fair grounds on Wednesday and Thursday, the 11th and 12th of October next.

S. L. GOUVERNEUR,  
JACOB SCHMIDT,  
D. C. WINEBRENER.

STEINER SCHLEY, Secretary.

On motion of Mr. Weitzell, the invitation was accepted.

The President presented the following message, with accompanying communication, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, Oct 2, 1871.

*To the Honorable the Members of the*

*First and Second Branches of the City Council :*

GENTLEMEN :—

It will be remembered that, some weeks ago, I removed from office Dr. G. Altvater, the late resident Physician at the Marine Hospital, and call upon your Honorable Bodies to confirm his successor, Dr. J. S. Conrad. This officer has found, as I anticipated, the hospital in a deplorable condition, needing every essential to make it, in any sense, worthy of the name it bears and fit for the uses intended.

I have been through the buildings with Dr. Conrad, and concur with him as to the urgency of the repairs and supplies, mentioned in the accompanying report, being furnished at once.

The Standing Council Committee on Health, at my instance, went to the hospital also with the Doctor, and, as I understand, concurred with him, in the main, as to the existence of the wants of the Institution and the propriety of their being supplied immediately.

The Inspector of Public Buildings has made an estimate of the cost of the building and repairs, amounting to \$3,000.

Feeling the importance of the work being done at once, I have to recommend that you make the necessary appropriation, and am,

Respectfully,

ROBERT T. BANKS, *Mayor*.

MARINE HOSPITAL,

September 29, 1871.

*To the Honorable Robert T. Banks,  
Mayor of Baltimore:*

HONORABLE SIR:

Herewith please find my report of the condition in which I found the Marine Hospital, upon assuming charge of the same, by your appointment, as also some idea of the manner in which it has been conducted.

It has never been my lot to have seen a hospital so wholly unfit for the care of sick human beings, or one so calculated to propagate disease and death—rather than treat the one and allay the pangs of the other, as the Marine Hospital of the port of Baltimore.

The capacity of the hospital is about one hundred. Of this number the brick building will accommodate about 40 and the pest hospital, or Barracks so called, the remaining sixty.

The brick building is in quite good repair, excepting the roof, which is imperfect and allows the rain to penetrate the walls on their inside. I found the wards of this building very dirty and infested with fleas and bats, presenting the appearance of not having been used for some time past. There was also refuse bedding of small pox cases stored in them. They have since been whitewashed and scrubbed, which gives them a better appearance and an air of comfort. The stoves of these wards were very much out of repair—indeed, unfit for use; they have since been put in good order, and are now ready for use. The rooms of this building contained about twelve beds and iron bedsteads, while its capacity was about forty, leaving twenty-eight of

both to be supplied. These beds were shuck mattresses only—no covering of any kind being upon them or about the premises. Estimating, therefore, twenty-eight mattresses and iron bedsteads to complete the forty, eighty sheets and pillow-cases and eighty blankets to fit up the complement, twenty chairs, forty small tables, forty spittoons, twenty in wash-basins (one for two persons) and nine lamps.

I found not a single chair or stool to sit upon, a basin to wash the face or spittoon to catch the sputa from the floor, or a small table to hold a cup of water above the level of the patient's (chamber pot) commode.

But this portion of the hospital, may it please your Honor, was quite a palace in some respects, to the pest hospital, most appropriately named, indeed, in all respects, for if it had had no one of the articles above mentioned in it, it would have been better than it now stands, filled as it is with dirty mattresses that stink with the involuntary excrement of men long since buried. This, sir, is literally true, and needs only an inspection to prove it.

This building needs repairs. The roof is insecure, and would doubtless be dangerous with the weight of a heavy snow upon it. Its floors are also out of repair and sinking, in places, to the ground, which is about two feet underneath. There are five rooms, or wards, in the pest hospital department, capable of accommodating about sixty or eighty patients, as many iron bedsteads, such as they are, but the mattresses are all in too bad condition to be used for any purpose whatever. No other conveniences of any kind.

#### ESTIMATE FOR THE PEST HOSPITAL.

For 60 patients—60 mattresses; 120 pillows; 120 pillow cases and sheets; 120 blankets; 60 small pine tables, to set by beds to hold medicines and nourishment; 60 spittoons; 10 lamps (two for a ward); 30 chairs; 120 tin-cups, for coffee and soup; two dozen large common waiters, for handing from kitchen to pest hospital; 2 dozen buckets; 6 dozen knives and forks; 6 dozen spoons, large and small; 2 dozen tin wash-basins, and four large stoves.

Another matter, connected with the very imperfect fitness of these buildings for the purpose for which they are used, is the fact that patients, in their delirium, wander at night from them. The necessities of so many patients together, heedless of care from infirmity, prevent the possibility of the doors being locked to keep them secure. I would, therefore, suggest the propriety of a tall paling fence surrounding the pest hospital, rather than paying a night watchman a large price for sleeping, as has been done in the past, in this hospital and others, of my own knowledge.

#### WASHING DEPARTMENT.

There are no arrangements, or conveniences, or rooms, whatever for this purpose.

Finding none, I asked the only nurse whom I found there "how washing had been done for patients," thinking possibly it might have been done in the cooking apartment. I was told that no washing for patients was ever done "in his recollection," except what the rain did for their garments hanging on the fence, when they were placed for that purpose! I could scarcely believe it and asked Dr. Cockill, the assistant of my predecessor, who confirmed the report.

A building about 50 feet by 18, with a shed for the boiling of small pox bed clothing, would suffice for a wash house and drying room in the winter. This building is absolutely necessary.

Stabling and shelter for hay and provender for the stock of the place is also important, unless it be thought economy to allow that which has been gathered from the last harvest, from the farm attached, to rot, and purchase from the city market to supply their places.

#### THE BOOKS OF THE HOSPITAL.

There are none to give any account of the working of the hospital—but one book—that is at all arranged for information to those who succeed in the course of changes that must



transpire, and it appears to have been arranged by Dr. O'Keefe, whose death also attests some zeal for the good name and conduct of the place. This is a record of patients and their diseases, in a form suitable to hospital purposes, and is the only one from which any information is to be gathered, and that only in its particular direction. I have ordered others, after submitting the plan of them to your approval, which will, in after times, give to my successor and to the authorities such information as should long since have been upon the records of the hospital. A "morning report book," which shows, in tabular form, "the number of patients treated daily," "number of discharges," "number received," "number of deaths," &c., &c.; another book, showing also in tabular form "the amount of hospital stores" on hand at the end of any "month," "amount received during same;" a third book, giving also in tabular form, "the account of vessels boarded," "tonnage," "crew," "passengers," "where from," "when arrived;" if quarantined, "how long," and "for what reason," &c.

There was not a surgical instrument of any kind whatever upon the place—not even a lancet or pair of scissors, to bind up a wound. A few have been purchased by your permission—those only necessary and in daily use.

#### HOSPITAL TENTS.

I would call your particular attention to this means of treating contagious diseases, as giving the best results in the statistical records of our profession, and my own experience at Baltimore Infirmary, at the Winder Hospital, Richmond, Virginia, and at the Industrial School, of this city, justifies me recommending their use at this hospital. And as there are four classes of patients treated here, viz: Male and female whites, male and female colored, it will also require as many tents for their accommodation—four—size about twenty-five by sixteen feet.

In conclusion, sir, and lastly, and, in truth, leastly in point of contrast between myself and the poor unfortunates whom the stings of poverty have made so, are my own quarters, which also need repairs, from the driving rains and searching winds, which prevail in this bleak winter lo-

cality. You may regard my demands, as large, but, sir, the necessities are very large and equally urgent. In short there was nothing here—scarcely the nucleus of a hospital.

It has been urged by some members of the Honorable Council, that the hospital should be removed from its present locality, and, for that reason, no repairs should be done. Permit me, sir, to say that, granting the change be at once decided upon, can it be made complete for the accommodation of patients in the space of eighteen months or two years? And should those wretched creatures suffer in the meantime, for the outlay of a few thousand dollars? Do the ends of humanity not justify the means?

I leave the matter with you, and this, my report, to your wise and humane consideration.

Remaining your most obedient servant,

(Signed)

J. SUMF'D CONRAD,  
Resident Physician.

The communications were referred to the Joint Standing Committee on Health.

Mr. Trippe presented a petition from Priscilla E. Chappell for the repayment of discount on taxes for the year 1871 paid by her, which was read and referred to the Joint Standing Committee on Claims.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read:

The Joint Standing Committee on Highways, to whom was referred the petitions of the Baltimore and Ohio Railroad Company, and the Consolidated Real Estate and Fire Insurance Company of Baltimore, in relation to changing the grade of Allen street, between Fort avenue and the Port Warden's line, or any intermediate part thereof, respectfully report that, after having duly considered the matter, and believing that the public convenience require

that the same should be done, they beg leave to submit the accompanying ordinance and recommend its passage.

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,  
*First Branch.*

JOHN MILROY,  
JESSE R. OGLE,  
*Second Branch.*

An ordinance to change the grade of Allen street, between Fort avenue and the Port Warden's line, or any intermediate part thereof.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to change the grade of Allen street, between Fort avenue and the Port Warden's line, or any intermediate part thereof, the expenses attending the same to be defrayed by the Baltimore and Ohio Railroad Company.

On motion of Mr. Mills, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

On motion of Mr. Orndorff, a committee of two was appointed to invite the Second Branch into convention on a sealed communication from his Honor the Mayor.

Messrs. Orndorff and Trippe were appointed as said committee.

The Branch then went into convention with the members of the Second Branch, and after some time spent therein the members of the Second Branch returned to their Chamber.

Business being resumed, Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and resolution, which were read:

The Joint Standing Committee on Claims, to whom was

referred the resolution appropriating the sum of \$1,000 to the widow of John H. Richards, have investigated the subject and report the following :

They find that the sum appropriated has already been established by precedent, and as Mr. Richards was an officer in the Police Department, they see no reason why his case should be an exception. They therefore recommend that the resolution be adopted.

BENJ. PRICE,  
H. CROUT,  
JACOB H. FREEBERGER,  
*First Branch.*

J. I. GROSS,  
FREDERICK COOK,  
CHAS. G. KERR,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, directed to pay the sum of \$1,000 to the widow of the late John H. Richards, who lost his life whilst in discharge of his duty as detective in the Police Department of Baltimore.

The question being on a motion by Mr. Price for a suspension of the rules, Mr. Bond demanded the yeas and nays, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Ehlers, Johnson, Orndorff, and Crout—16.

*Nays*—Messrs. Bond and Sommerlock—2.

The rules were declared suspended, and the resolution read a second time, by special order, and adopted.

Mr. Weitzell offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That the Inspector of Public Buildings be, and he is hereby,



requested to inform this Branch by what authority such discrepancy is made in the numbering of the houses of the city. A house heretofore numbered at No. 210 is now 150 on Canton avenue.

Mr. Trippe offered the following resolution, which was read :

Resolved by the First Branch of the City Council of Baltimore, That 150 copies of the Report of the Commission to recommend a plan for the improvement of Jones' Falls, without maps or diagrams, be furnished for the use of members.

On a motion by Mr. Bond to lay on the table, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgings, Trippe, Bruce, Mills, Ward, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Orndorff, and Crout—17.

*Nays*—Mr. Torsch—1.

The resolution was declared laid upon the table.

Mr. Torsch offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and is hereby, directed to have removed the pump-stock in front of premises No. 172 and 174 on Lexington street.

On motion of Mr. Torsch, the resolution was read a second time, by special order, and adopted.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby instructed to have the pump in front of No. 238 North Howard street removed, and the well properly covered.

On motion of Mr. Bond the resolution was read a second time, by special order, and adopted.

Mr. Sommerlock introduced an ordinance entitled "An ordinance to condemn and open West street, between Scott street and Ridgely street," which was read and referred to the Joint Standing Committee on Highways.

Mr. Crout offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council, That the Register be, and he is, authorized and directed to pay to the reporters of this Branch each \$100 ; that is to say to William B. Krout, reporter of the Sun, \$100 ; to John Starr, Jr., reporter of the American, \$100 ; to Charles F. Meany, reporter of the Gazette, \$100, and to W. H. Cole, reporter of the Evening Journal, \$100, the said sums to be paid out of the diary of expenses of the City Council for 1871.

The President appointed Messrs. Bond, Sommerlock and Orndorff the additional members of Committee to receive the Pittsburgh and Wheeling visitors.

On motion of Mr. Mills, the Branch adjourned until tomorrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Tuesday, October 3, 1871.

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The Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., President, and all the members except Messrs. Bruce, Smyrk, Kernan, and Randall.

Mr. Mills presented a petition from Messrs. J. S. Cars.

well & Son and others to allow the track to remain on North street near Eager, which was read and referred to the Joint Standing Committee on Highways.

Mr. Berry presented a petition from Wm. H. Downs and others for the repeal of the ordinance for the widening of Light street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Mills introduced the following ordinance, which was read :

An ordinance supplementary to an ordinance entitled " An ordinance to authorize the closing of Gibson street, now Eutaw street, and to open and continue said Eutaw street, &c approved July 15th, 1853."

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, directed to suspend proceedings for the removal of obstructions in the bed of Eutaw street, as provided to be opened under the ordinance to which this is a supplement, for three months from the date of the approval of this ordinance.

SEC. 2. And be it enacted and ordained, That this ordinance shall take effect from the date of its passage.

On motion of Mr. Mills, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Ehlers presented the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to have the gutters at the intersection of Light and Fort streets covered with iron plates, the expense to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

On motion, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Wednesday, October 4, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell, Trippe, Smyrk, Kernan, Ward, and Johnson.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That a cordial invitation be, and is hereby, extended to the Municipal Authorities of Cumberland to join with the Mayors and City Councils of Pittsburgh and Wheeling in their expected visit to our city on the 17th of this month.

Resolved further, That a copy of these resolutions be transmitted to the Mayor and City Council of Cumberland.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, instructed to have removed the dilapidated pump-stock opposite premises No. 280 North Howard street, the expense of the same to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Bond, the resolution was read a second time, by special order, and adopted.

Mr. Ehlers offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, authorized to have gas-mains laid on Johnson street, from Clement



street into Battery Square, so that there can be lamps placed in said Square.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Orndorff offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to have the old pump-stock removed from the southwest corner of Fayette and Amity streets, and have the well properly secured and filled, the expense of the same to be taken out of any money in the treasury otherwise unappropriated.

On motion of Mr. Orndorff, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Charles H. Mercer and others asking that the name of Register street between Chew street and Belair avenue be changed to McDonough street, respectfully state that they deem such change right and proper, and offer the following ordinance and respectfully ask its passage :

S. SANDS MILLS,  
G. MORRIS BOND,  
JOHN W. TORSCH,

*First Branch.*

JOHN MILROY,  
WILLIAM H. VICKERY,

*Second Branch.*

An ordinance to change the name of that part of Register street lying between Chew street and Belair avenue to McDonough street.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the name of Register street between

Chew street and Belair avenue be changed to McDonough street.

On motion of Mr. Mills, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

The Second Branch returned the resolution giving permission to Christopher & Co. to lay a two-inch pipe under the bed of Pratt street, with the following amendment, which was read :

Strike out the words "and City Council of Baltimore" at end of resolution.

On motion of Mr. Orndorff, the Branch concurred.

The Second Branch returned the following resolutions severally endorsed, "adopted:":

Resolution in favor of the widow of the late John H. Richards.

Resolution for the removal of pump-stock on Howard street.

Resolution for the removal of pump-stock on Lexington street.

The Second Branch returned the following ordinances, respectively endorsed "passed."

An ordinance to change the grade of Allen street between Fort avenue and the Port Warden's line.

An ordinance entitled "An ordinance to add an additional section to article 23 of the Baltimore City Code, entitled 'Health.' "

On motion of Mr. Constantine, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Thursday, October 5, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Trippe, Smyrk, Kernan, Torsch, Randall, Johnson, and Crout.

On a motion by Mr. Ehlers to adjourn, the yeas and nays were demanded by Mr. Ehlers, and resulted as follows :

*Yeas*—Messrs. President, Price, Berry, Freeberger, and Ehlers—5.

*Nays*—Messrs. Weitzell, Hudgins, Bruce, Mills, Ward, Bond, Sommerlock, and Orndorff—8.

The Branch refused to adjourn.

On a motion by Mr. Weitzell to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Mills, Ward, Price, Sommerlock, Berry, Freeberger, Ehlers, and Orndorff—12.

*Nays*—Mr. Bond—1.

The Branch was declared adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Friday, October 6, 1871.

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The Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., President, and all the members except Messrs. Bruce and Randall.

Mr. Mills, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on the Fire Department, to whom was referred the reply of the Commissioners of the Baltimore City Fire Department, in answer to a resolution of inquiry, passed by this Branch June 8th, 1871, as follows :

“Resolved by the First Branch of the City Council, That the Board of Fire Commissioners be, and they are hereby, requested to inform this Branch of the cause of delay in establishing the new steam engine company, as provided for by ordinance, west of Poppleton and south of Baltimore streets,” beg leave to report that they find, as is alleged by said Commissioners, that at the last session of the City Council, in 1870, an appropriation of \$50,000, to be taken out of the tax levy of 1871, was made for the establishment of three additional Fire Companies, which appropriation was reduced by the Committee on Ways and Means to \$40,000, thus leaving a deficiency of \$10,000 in the sum actually required for the establishment of the three additional companies called for by the ordinance, and required by the estimates which the Commissioners have prepared, and which your committee regard as entirely reliable, viz :

Actual cost of establishing No. 3 Hook and Ladder Company, which has been in operation since January 1st, 1871.....	\$10,570 77
Estimated cost of establishing No. 9 Engine Company, the lot and engine for which have been purchased, and the house now building..	19,516 00
Estimated cost of establishing No. 10 Engine Company, which the deficiency in the appropriation has hitherto prevented the Board from carrying out.....	20,800 00
Showing an excess of expenditure above, the sum appropriated of.....	\$50,886 77

In addition to the foregoing, your committee find that



the Commissioners, basing their estimate for the running expenses of the department for 1871 upon the most economical management thereof consistent with its efficiency, asked for a general appropriation of \$113,350 for the year, and that this amount was reduced by the Committee of Ways and Means \$7,700.

Thus it appears the Commissioners have been unable to carry into effect the ordinance requiring the establishment of No. 10 Engine Company in the southwestern portion of the city. They have therefore asked of the City Council the payment of the balance of special appropriation of \$10,000 already made, and the further appropriation of \$7,700, being the deficit in the general appropriation asked for in their report of December 31, 1870. They also desire an additional appropriation of \$3,000 for the purchase of another steam fire engine, the same to be used as a reserve engine in case of any of the present engines becoming disabled.

Your committee, after careful consideration of the subject, beg leave to offer the following resolution :

All of which is respectfully submitted.

S. SANDS MILLS,  
JOHN W. TORSCH,  
*First Branch.*

FREDERICK COOK,  
J. I. GROSS,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the sum of \$20,700 be, and the same is hereby, appropriated out of the tax levy of 1872, to be applied by the Board of Fire Commissioners as follows: \$10,000 to supply the deficiency in the special appropriation of the year of 1870, for the establishment of three additional fire companies; \$7,700 for the deficiency in the general appropriation asked for the year 1871, and \$3,000 to be applied to the purchase of a steam fire-engine to be used as a reserve engine in the service of the department.

On a motion by Mr. Mills, to suspend the rules, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Mills, Kernan, Ward, Torsch, Price, Sommerlock, Berry, Freeberger, Johnson, Orndorff, and Crout—13.

*Nays*—Messrs. Hudgins, Trippe, Bond, and Ehlers—4.

The rules were declared suspended, and the resolution read a second time.

On motion of Mr. Crout the resolution was laid upon the table and made the order of the day for Tuesday next at 5½ o'clock.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, October 6, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening, it stand adjourned until Monday afternoon, October 9th, at 5 o'clock.

By order,

GEO. T. BEALL, JR., *Clerk*.

On motion of Mr. Price, the Branch concurred.

Mr. Mills, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Fire Department on the petition of Dr. F. T. Cherry for permission to erect a livery stable on premises No. 49 German street, respectfully report that after an examination of said premises and the locality thereof discover no reason why the privilege should not be granted.

Your committee state that Dr. Cherry has complied with all the requirements of the Baltimore City Code governing such application.

S. SANDS MILLS,  
JNO. W. TORSCH,  
*First Branch.*

FREDERICK COOK,  
J. I. GROSS,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Dr. F. T. Cherry to erect on his premises, No. 49 German street, a livery stable; provided, said erection be done under the supervision of the City Commissioner.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Fire Department, to whom was referred the application of James Gallagher for permission to erect a livery, hiring and sales stable on the southeast side of Howard street, respectfully report that, after having examined into the merits of said application, they deem it right and proper that the privilege asked for should be granted, the applicant having complied with the ordinance of the city regulating such applications. They therefore offer the following resolution, and respectfully ask its adoption:

S. SANDS MILLS,  
JNO. W. TORSCH,  
*First Branch.*

FREDERICK COOK,  
J. I. GROSS,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to James Gallagher to erect at his own expense a livery, hiring and sales stable on the southeast side of Howard street, at the distance of sixty-eight feet southwesterly from Park street, the said erection to be made under the supervision of the City Commissioner.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Fire Department, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Fire Department on the petition of Joshua Parks, asking permission to enlarge his back building, in rear of No. 363 Cathedral street, respectfully report, that after having examined the premises described in said petition, discover that for the convenience of the said Joshua Parks, the privilege asked for should be granted; and that the said privilege, in no manner interferes with the rights or conveniences of other citizens. Your committee therefore, offer the following resolution, and respectfully ask its adoption:

S. SANDS MILLS,  
JOHN W. TORSCH,

*First Branch.*

FREDERICK COOK,  
J. I. GROSS,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Joshua Parks to extend his back building in rear of No. 363 Cathedral street, two feet south and two feet east of its present location; the said improvement to be done under the supervision of the City Commissioner.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.



The President presented the following communication, which was read :

OFFICE OF INSPECTOR OF BUILDINGS,  
Baltimore, Oct. 4, 1871.

*To the Hon. First Branch of the City Council :*

GENTLEMEN :—

I have this day received the following resolution passed by your Branch :

“ Resolved by the First Branch City Council of Baltimore, That the Inspector of Public Buildings be, and he is hereby, requested to inform this Branch by what authority such discrepancy is made in the numbering of the houses of the city. A house heretofore numbered at No. 210 is now 150 on Canton avenue.”

And in reply thereto, I would most respectfully state that the third section of the ordinance regulating the duties of the Inspector of Buildings directs him, whenever errors or irregularities exist in the numbering of houses, to cause the same to be corrected, without unnecessary delay, as soon as the same are brought to his notice. A few days after I entered upon the duties of my office, my attention was called by several to many new houses which required numbering ; also, great want of regularity of the old ones. I consequently gave authority to three individuals to number the new ones, and if possible to regulate the old ones, but in all cases to be governed strictly by the third section of the ordinance referred to ; but those parties had done but little work, before I found it was impossible to remedy the evil complained of, either from the want of proper care of the parties who were doing the work, or the improper mode prescribed by the ordinance—I think most likely the latter. I therefore immediately stopped any further effort to remedy the evil so often complained of. Under the present mode, if any house or lot is so divided in any square as to increase the quantity, and thereby requiring an additional number, it throws the entire street out of sorts, which is almost constantly occurring in various parts of the city. I would respectfully refer you to but one case of many : at the corner of Sharp and German streets, the

property of the old church now cut into different lots. To number those properly, according to the present mode, would require every number on the east side of Sharp street to be altered. Such is the case in many streets. Several streets have three or four numbers of the same kind, yet if I attempt to alter ne all of the others would be wrong. Something of this kind must have caused the alteration in the street referred to in your resolution.

If your Honorable Body will examine the law now regulating the mode of numbering of houses, you will be convinced of the necessity of some change. The decimal system has been adopted in Philadelphia and other cities, which appears to work well. I will take pleasure in meeting your committee at any time you may direct.

Yours, respectfully,

J. W. WATKINS,  
*Inspector of Buildings.*

The communication was, on motion of Mr. Johnson, referred to the Joint Standing Committee on City Property.

Mr. Trippe offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to Alexander Cutino to erect a barber's pole at southeast corner of Baltimore and High streets, the same to be removed on thirty days notice from the Mayor.

On motion of Mr. Trippe, the resolution was read a second time by special order.

On a motion by Mr. Bond to refer the resolution to the Joint Standing Committee on Police and Jail, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Mr. Johnson—1.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Berry, Freeberger, Ehlers, and Orndorff—16.

The Branch refused to refer.

The question being on the adoption of the resolution, it was declared adopted.

Mr. Smyrk offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized to have laid flagging across Broadway, at the intersection of Baltimore street, not less than four feet in width, the expense of the same to be taken out of any money in the city treasury not otherwise appropriated.

On motion of Mr. Smyrk, the resolution was read a second time by, special order, and adopted.

Mr. Mills offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed and authorized to have gas lamps placed at the following points:

One west side of Register street, corner of Chase, one west side of Register street, midway between Chase and Eager streets, one northwest corner of Eager and Register streets, one southwest corner Barnes and Register streets, one northwest corner Chew and Register streets, one on Eager street near Ann.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Mills offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, directed and authorized to have gas-mains laid on Aisquith street, between Johns street and Point lane.

On motion of Mr. Orndorff, the resolution was read a second time, by special order, and adopted.

Mr. Ward, from the Joint Standing Committee on City Passenger Railway, submitted the following report, with accompanying ordinance, which was read :

The Joint Standing Committee on City Passenger Railways, to whom was referred back an ordinance granting certain citizens of Baltimore, permission to lay down and construct passenger railway tracks on certain streets of the city, beg leave to report, that, after having given the application careful consideration, they are convinced that the growth of the city demands increased city passenger railway facilities, and therefore report back the accompanying ordinance, with corrections, which we believe will meet the requirements, and add very largely to the value of taxable property.

OWEN WARD,  
JNO. W. TORSCH,  
*First Branch.*

H. McCOY,  
FREDERICK COOK,  
CHAS. G. KERR,  
*Second Branch.*

The ordinance, on motion of Mr. Johnson, was laid upon the table.

Mr. Bond offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That the Water Engineer be requested to furnish this Branch with an estimate of the cost of locating twenty public drinking fountains and horse troughs at suitable points throughout the city, and at the same time to give his views as to the feasibility of the plan, taking into consideration the water supply at present available.

Mr. Sommerlock offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed



to have the gutters at the intersection of Lexington and Green streets, at the end of Lexington market, covered with iron plates, the expense to be taken out of any money in the city treasury, not otherwise appropriated.

On motion of Mr. Sommerlock, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to increase the size and capacity of the water main on south Eutaw street, south of Baltimore, to tide water and for the purpose of defraying the expense thereof, the sum of fifteen thousand dollars or so much thereof as may be necessary, be, and is hereby, appropriated, to be provided for in the levy of 1872.

On motion of Mr. Johnson, the resolution was referred to the Joint Standing Committee on Water.

Mr. Orndorff offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to place a gas-lamp at the intersection of Presstman and Carey streets, and also at the intersection of Presstman and Gilmore streets (both places being outside the limits of direct taxation), the cost of the same to be taken out of the appropriations for lamps and pillars for 1871.

On motion of Mr. Freeberger, the resolution was read a second time, by special order, and adopted.

Mr. Orndorff introduced an ordinance, entitled "An ordinance to authorize the subscription of \$200,000 to the stock of the Baltimore and Drum Point Railroad Company in the State of Maryland, and a loan to pay such subscription," which was read and referred to the Joint Standing Committee on Ways and Means.

The Second Branch returned the following resolutions severally endorsed, adopted :

Resolution to lay gas-mains on Johnson street.

Resolution to remove pump-stock on North Howard street.

Resolution of invitation to the Mayor and City Council of Cumberland.

Resolution to lay iron plates across gutters at corner of Light and Fort streets.

Resolution to remove old pump-stock corner Fayette and Amity streets.

The Second Branch returned the following ordinances respectively endorsed "passed :"

An ordinance to authorize the closing of Gibson street, now Eutaw street, and to open and continue said Eutaw street.

An ordinance to authorize a subscription of \$750,000 to the stock of the Maryland Central Railroad Company in the State of Maryland, and a loan to pay such subscription.

On motion of Mr. Bond, the Branch adjourned until Monday afternoon next, October 9th, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Monday, October 9, 1871.

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The Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., President, and all the members except Messrs. Smyrk and Randall.

Mr. Orndorff offered the following resolution which was read :

Whereas, As a terrible calamity has befallen our sister city of Chicago, we, the corporate authorities of the city of Baltimore, express our deepest sympathy with its people in their unparalleled affliction, and proffer any assistance the exigency of their situation may demand ;

Resolved by the Mayor and City Council of Baltimore, That his Honor the Mayor be requested to telegraph this action to the Mayor of Chicago.

On motion of Mr. Orndorff, the resolution was read a second time, by special order, and adopted.

Mr. Berry presented a petition from Adam Textor and others, asking for a fire-plug at the corner of Henrietta street and High avenue, and for gas lamp at the same, which was read.

On motion of Mr. Berry, the resolution was referred to the Joint Standing Committee on Water.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of J. M. Carmine asking aid, have examined the subject, and beg leave to report :

Carmine was an officer in the Police Department, and whilst on duty was called upon to arrest a man named Collins, who was in a brawl ; he succeeded in making the arrest, and whilst in the act of taking him to the watch-house Collins suddenly tripped him up ; the pavement was at the time covered with sleet and ice ; a scuffle ensued between the officer and Collins, the result of which was that Carmine's hip was broken. He is now a cripple, perhaps for life ; he can neither work at his trade nor do any manual labor, and is very poor.

The committee have therefore thought it proper to recom-

mend that the Council should pay to said Carmine the sum of \$500, and present the following resolution :

BENJ. PRICE,  
JACOB H. FREEBERGER,  
H. CROUT,

*First Branch.*

FREDERICK COOK,  
CHAS. G. KERR,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to J. M. Carmine, out of any money he may have in his hands not otherwise appropriated, the sum of five hundred dollars ; provided he receive a proper receipt therefor.

On a motion by Mr. Price to suspend the rules, the yeas and nays were demanded, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Kernan, Ward, Torsch, Price, Berry, Freeberger, Johnson, Orndorff, and Crout—14.

*Nays*—Messrs. Bond, Sommerlock, and Ehlers—3.

The rules were declared suspended, and the resolution read a second time.

Mr. Johnson offered the following amendment, which was read :

And be it further resolved, That the sum of five hundred dollars be, and is hereby, appropriated to Wm. Chambers, who was injured while in the discharge of duties as a police officer, provided, in the judgment of the Board of Police Commissioners, he is entitled to the same.

On a motion by Mr. Bond to lay the amendment on the table, the yeas and nays were demanded, resulting as follows :



*Yeas*—Messrs. Bond, Sommerlock, and Ehlers—3.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Kernan, Ward, Torsch, Price, Berry, Freeberger, Johnson, Orndorff, and Crout—14.

The Branch refused to lay the amendment on the table

On motion by Mr. Bond to lay the subject on the table, and make it the order of the day for Thursday afternoon next at 5½ o'clock.

The yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. Bruce, Kernan, Ward, Bond, Sommerlock, Berry, Freeberger, Ehlers, and Johnson—9.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Torsch, Price, Orndorff, and Crout—8.

The whole subject was postponed, and made the order of the day for Thursday afternoon next at 5½ o'clock.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of E. D. McConkey and others, asking an abatement of the assessment on St. Bartholomew's Chapel, beg leave to report that the chappel is entirely missionary, having no fund to support it; the property upon which it was erected was a gift for the purpose, and its uses and purposes are entirely free; the Committee think under the circumstances that it is wise and right to abate the assessment, and report the following resolution and recommend its adoption:

BENJ. PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

FREDERICK COOK,  
CHAS. G. KERR,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to refund to the vestry of St. Bartholomew's Chapel the sum of six hundred and five seventy-nine one-hundredths dollars out of any funds he may have in his hands not otherwise appropriated, upon receiving a proper receipt therefor.

On motion of Mr. Crout, the resolution was read a second time, by special order, and adopted.

Mr. Crout, from the Joint Standing Committee on Education, submitted the following report and accompanying ordinance :

The Joint Standing Committee on Education, to whom was referred the matter of appropriation for the Baltimore City College, have given the subject due and proper attention and have concluded to recommend the purchase and adoption of the property known as Bolton for that purpose.

The reasons leading the committee were many :

1st. We supposed that the location of an institution of this character should be made with a view to its permanency and its adaptability to all future requirements ; the grounds are large and ample, shaded by a fine growth of trees, with room for future building to any extent that may be required, the grounds containing about three acres of land.

2d. It is proposed to use the premises for the purpose of a park or visiting ground for the people of that neighborhood during the evenings of the week, and also the entire days of Saturday and Sunday.

3d. Its situation is in that part of the city which in a very short time will, in accordance with the city's growth, be nearly central, and the well-known advancement in the price of property in that section secures the city in a good investment, constantly and steadily increasing in value.

4th. Because the buildings on the property are now sufficient for the accommodation of the pupils, only twenty-five thousand dollars, as estimated by the City Commissioner,

being required to fit them for the purposes of a school, and no additional expenditure should be made unless the increase in the number of pupils shall be large enough to demand an increase in their size.

5th. Because its access is easy and within a short distance of one of the lines of the passenger railways; and we look forward to the early opening of Park street, when it is reasonable to suppose another line will be laid, which will bring the premises within half a block of that line.

6th. Because taking all things into consideration, it is the best and most eligible piece of property that has been named for the purpose, and the fact that the city will receive it and use it as it is, without entering into dubious contracts for building, &c., which has heretofore caused so much difficulty and debate, was another reason which led the committee to their conclusions.

The committee ask leave to report the following ordinance and recommend its adoption.

H. CROUT,  
BENJAMIN PRICE,  
A. C. TRIPPE,

*First Branch.*

H. McCOY,

*Second Branch.*

While I cannot agree with the majority of the committee that the real value of the Bolton property is as great as one hundred and fifty thousand dollars, I am constrained to think that the city, under all circumstances, cannot do better than take it at the price and on the terms named. I am satisfied it cannot be purchased for a cent less, and after a constant effort for six months the committee have been unable to find a lot in all respects nearly as eligible for the purpose. The combined advantages of preserving three acres, in a thickly built section of the city, as a public square, and of securing for the Baltimore City College a building which will supply its wants with comparatively moderate outlay, seems to me to justify the purchase at twenty-five thousand dollars more than the lot and its ap-

purtenances, in my judgment, are worth, rather than buy a smaller lot and erect a building which would cost one hundred thousand dollars, and might not be ready for occupation for two years.

CHAS. G. KERR.

On a motion by Mr. Price to suspend the rules, so as to give the ordinance a second reading, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Torsch, Bond, Price, Berry, Freeberger, Johnson, Orndorff, and Crout—13.

*Nays*—Messrs. Mills, Kernan, Ward, Sommerlock, and Ehlers—5.

The rules were suspended, and the ordinance read a second time, by special order.

On motion of Mr. Price, the ordinance was laid upon the table and made the special order of the day for Wednesday afternoon next.

Mr. Kernan offered the following resolution, which was read and adopted :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, authorized and directed to have a gas lamp placed on the west side of Forrest street extended, about two hundred feet north of Eager street.

On motion of Mr. Kernan, the resolution was read a second time, by special order, and adopted.

Mr. Johnson offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have a gas lamp placed on Frederick



avenue, south side, about one hundred and fifty feet west of Calverton road.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

Mr. Orndorff offered the following resolution, which was read :

Resolved by both Branches of the City Council, That the Water Board be earnestly recommended to press with unusual earnestness the new reservoir within the Park to early completion, so as to afford adequate protection from fire to those sections of our city now so scantily supplied by the corporation with water.

On motion of Mr. Orndorff, the resolution was read a second time, by special order, and adopted.

Mr. Torsch called up ordinance known on the file as No. 41, entitled "An ordinance to lay railway tracks on German and other streets, &c.," which was read.

On a motion by Mr. Johnson to lay the ordinance upon the table and make it the order of the day for Wednesday evening next at 6½ o'clock, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Trippe, Bruce, Mills, Kernan, Torsch, Sommerlock, Berry, Freeberger, Ehlers, Johnson, Orndorff, and Crout—14.

*Nays*—Messrs. Weitzell, Ward, and Bond—3.

The ordinance was declared laid upon the table and made the special order of the day for Wednesday evening next at 6½ o'clock.

The following ordinance was received from the Second Branch and read :

An ordinance to condemn and open an alley twenty feet wide in continuation of "Hargrove alley," and running from Eager street to Chase street.

Whereas, Application has been made for the condemnation and opening of the alley aforesaid, and notice of said application having been given as required by the 837th and 838th sections of the 4th Article of the Code of Public Local Laws of the State of Maryland, and public convenience as well as the interest of citizens and property holders along the line of the proposed alley requiring that the same shall be opened ; therefore,

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, authorized and required to condemn and open an alley in the city of Baltimore of the uniform width of twenty feet, running from the north side of Eager street, between St. Paul and Calvert streets, and parallel with St. Paul street, to the south side of Chase street, the said alley to be in direct continuation of, and known as "Hargrove alley."

SEC. 2. And be it further enacted and ordained, That in the condemnation and opening aforesaid, the Commissioners for Opening Streets shall proceed in all respects, and the Register and Collector shall perform such duties ; and any person or persons, or body corporate, who may be dissatisfied with the assessments of benefits and damages may appeal to Baltimore City Court, as required and provided for by Article forty-three of the Baltimore City Code.

Mr. Johnson moved that the ordinance be recommitted to the Joint Stand Committee on Highways.

The Branch refused to recommit.

On motion of Mr. Bond, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Priscilla E. Chappell, respectfully report that they have carefully considered the matter; that the circumstances under which the delay in payment of the taxes occurred could not well have been avoided by her, they therefore ask the adoption of the following resolution:

BENJ. PRICE,  
H. CROUT,  
J. H. FREEBERGER,  
*First Branch.*

FREDERICK COOK,  
J. I. GROSS,  
CHAS. G. KERR,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, directed to pay Priscilla E. Chappell four dollars and thirty-eight cents, the discount on her personal taxes for the year 1871.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

The following ordinance was received from the Second Branch and read:

An ordinance to empower the Baltimore and Yorktown Turnpike Road Company to extend their railway tracks on Holliday street to its intersection with Baltimore street.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the President, Managers, and Company of the Baltimore and Yorktown Road be, and they are hereby, authorized and empowered to extend their lines of railway on Holliday street, from the present terminus at the intersection of Holliday and Lexington streets, to its intersection with Baltimore street.

SEC. 2. And be it further enacted and ordained, That the President, Managers, and Company of the Baltimore and

Yorktown Turnpike Road shall, in laying down and working the extension authorized to be made by this ordinance, be governed by and subject to all the provisions of the ordinance, approved February 17, 1863, No. 7, under which they were empowered to lay down railway tracks within the limits of the city of Baltimore.

SEC. 3. And be it further enacted, That this ordinance shall go into effect from the day of its passage.

On motion of Mr. Trippe, the ordinance was read a second time, by special order.

Mr. Trippe offered the following amendment which was read :

And No. 40, June 20, 1865.

The amendment was declared adopted.

The question being on the passage of the ordinance, the title was approved and the ordinance declared "passed."

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Inspector of Buildings be, and he is hereby, directed to have the Belair Market houses whitewashed, and that the sum of one hundred and fifty dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, directed to have gas-mains laid on Wilcox street north from Eager street, on McKim street north from Eager street, and on Chase street from Harford avenue west.



On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, directed to pay to William Leach the sum of nine dollars and fifteen cents (\$9.15), being the amount of taxes paid in error by the said William Leach in the years 1868 and 1869, as will appear by the accompanying statement of the Clerk of the Appeal Tax Court :

Amount of taxes paid in error on lot northeast side Harford avenue, assessed for \$344, which Mr. Leach does not own:

1868 taxes.....	\$3.98
1869    "       .....	5.17
	<hr/>
	\$9.15

D. HENLY,  
*Clerk Appeal Tax Court.*

On motion of Mr. Bruce, the resolution was read a second time, by special order, and adopted.

A report of the Joint Standing Committee on Highways, with the following ordinance was received from the Second Branch, and read :

An ordinance to declare the bed of York street, between William and Johnson streets, a public highway.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the bed of York street, between William and Johnson streets, as laid down on Poppleton's plat of the city, be, and the same is hereby, condemned as a public highway, and shall be subject to all ordinances regulating streets, lanes and alleys in the City of Baltimore.

On motion of Mr. Berry, the ordinance was read a second time by special order, title approved, and the ordinance declared passed.

The Second Branch returned the following resolutions severally endorsed "adopted."

Resolution to place gas lamps at sundry places on Register street.

Resolution to place gas lamps on Presstman and Carey, and Presstman and Gilmor streets.

Resolution to lay flagging across Broadway.

Resolution granting permission to Joshua Parks to extend his back building in rear of No. 363 Cathedral street.

The Second Branch returned the resolution authorizing A. Cutino to erect a barber's pole endorsed "rejected."

Mr. Trippe asked for a committee of Conference on the disagreeing vote of the two Branches.

The request was granted, and the Chair appointed, as the committee on the part of this Branch, Messrs. Trippe, Mills and Orndorff.

Mr. Mills offered the following report and resolution, which were read :

The Joint Standing Committee on Fire Department, to whom was referred the petition of the Superintendent of Police and Fire-Alarm Telegraph asking for three (3) new fire-alarm boxes to take the place of old ones now in use, beg leave to report that they have examined the subject, and find that they are necessary, and would ask the adoption of the following resolution :

S. SANDS MILLS,  
JNO. W. TORSCH,  
*First Branch.*

FREDERICK COOK,  
J. I. GROSS,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore,  
That the Superintendent of Police and Fire-Alarm Tele-

graph be, and is hereby, directed to have placed at the corners of Calvert and Lombard, Camden and Charles, and Pratt street bridge, three (3) new fire-alarm boxes, to take the place of the old ones now in use, and he is hereby authorized to draw on the City Register for the sum of eight hundred dollars (\$800) for the expenses of the same.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

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Tuesday, October 10, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Smyrk and Randall.

Mr. Torsch presented a petition from Francis King, President of the Johns Hopkins Hospital, and others, against the opening of McElderry street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Bond presented a petition from Frederick W. Brune and others for the passage of an ordinance to accept a deed in fee for the beds of Brune street, from Adams to George street, and of Clarke street, from Brune to Fremont street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Freeberger presented a petition from E. W. Albaugh, clerk, and others, for the erection of a suitable building for the clerk of Hanover Market, which was read and referred to the Joint Standing Committee on Markets.

Mr. Bond presented a petition from Matthew Clark, bailiff, on behalf of Judge Scott, for ventilators in the Baltimore City Court, &c., which was read and referred to the Joint Standing Committee on City Property.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the special order of the day, being the resolution making appropriations for the Fire Department, the President accordingly announced the special order of the day, which was read.

The question being on the passage of the resolution, it was declared adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the resolution to construct a sewer along the centre of the bed of Mulberry street, from Cary street to Republican street, respectfully report that, after having carefully investigated the subject and examined the locality referred to in said resolution, they think the improvement asked for should be made. Your committee, therefore, offer the following resolution and respectfully ask its adoption:

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JOHN MILROY,  
WILLIAM H. VICKERY,  
*Second Branch.*

Resolved, by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to cause a sewer to be constructed along the centre of the bed of Mulberry street, from Carey street to Republican street, and that the sum of three thousand five hundred dollars, or so much thereof as may be necessary, be, and is hereby, appropriated to pay for the same, the amount to be taken out of the levy of 1872.



On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, October 10, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, to go into an informal convention in your Chamber to receive a committee from the town-meeting on the subject of the Chicago calamity.

By order,

GEO. T. BEALL, JR., *Clerk.*

On motion of Mr. Johnson, the Branch concurred.

The members of the Second Branch appeared in this Chamber and took seats.

After addresses by Hon. Reverdy Johnson and Orville Horwitz, Esq., the members of the Second Branch returned to their Chamber.

Business being resumed, Mr. Price proposed a message to the Second Branch proposing the appointment of a joint special committee of three members from each Branch to confer with the committee of citizens as to the proper amount to be appropriated for the Chicago sufferers.

The message was ordered to be sent.

The Chair appointed as committee on part of this Branch, Messrs. Price, Mills and Crout.

Mr. Trippe offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the sum of ten thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropri-

ated for the construction and equipment of the ice boat now being built, to be paid to H. L. Whitridge, Esq., one of the Commissioners of the Harbor and River Relief Board, and to be taken out of any money in the treasury not otherwise appropriated.

On a motion of Mr. Trippe to suspend the rules, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Kernan, Ward, Torsch, Sommerlock, and Johnson—9.

*Nays*—Messrs. President, Bond, Berry, Freeberger, Ehlers, and Orndorff—6.

The Branch refused to suspend the rules, and the resolution was declared laid upon the table.

Mr. Mills introduced an ordinance entitled "An ordinance supplementary to an ordinance entitled 'An ordinance to condemn and open an alley running from German to Lombard street, approved October 26, 1869, providing for the further opening of the same,' " which was read and referred to the Joint Standing Committee on Highways.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, October 10, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition to appoint a joint special committee of three members from each Branch to confer with the committee representing the town meeting on behalf of the Chicago sufferers, and name, on the part of this Branch, Messrs. Kerr, McCoy and Vickery.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

Mr. Bond offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, directed to have gas-mains laid on Garden street, between Monument and Little Ross streets, and on Richmond street, between Cathedral and Park streets.

On motion of Mr. Bond, the resolution was read a second time by, special order, and adopted.

Mr. Freeberger offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Inspector of Buildings be, and he is hereby, directed to have the Hanover Market-house whitewashed, and that the sum of one hundred and forty dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

At 10 minutes past 6 o'clock, on motion of Mr. Johnson, the Branch took a recess of ten minutes, at the expiration of which time, business being resumed,

Mr. Price, from the joint special committee on the Chicago disaster, submitted the following report and accompanying resolution, which were read :

The joint special committee of both Branches of the City Council, appointed to confer with the committee of the citizens in relation to the great disaster by fire at Chicago, and the amount that would be right and proper to appropriate towards the immediate relief of the sufferers, beg leave to report and recommend the adoption of the following resolution :

BENJ. PRICE,  
H. CROUT,  
S. SANDS MILLS,

*First Branch.*

CHAS. G. KERR,  
H. McCOY,  
WM. H. VICKERY,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the sum of one hundred thousand dollars be, and the same is hereby, appropriated for the relief of the sufferers in Chicago, and that the Mayor of Baltimore be authorized to telegraph to the Mayor of Chicago this action on the part of the authorities without delay.

On motion of Mr. Price, the resolution was read a second time, by special order.

Mr. Berry offered the following amendment, which was read :

Strike out “\$100,000 ” and insert in lieu thereof “\$125,000,” and withdraw the invitation heretofore extended to the Mayor and City Councils of Pittsburg, Wheeling, and Cumberland.

The amendment was declared lost.

The question being on the adoption of the resolution, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Berry, Freeberger, Ehlers, Johnson, Orndorff, and Crout—18.

*Nays*—None.

The resolution was declared adopted.

On motion by Mr. Crout to adjourn, the yeas and nays were demanded by Mr. Price, resulting as follows :

*Yeas*—Messrs. President, Bruce, Mills, Kernan, Torsch, Sommerlock, Ehlers, Johnson, Orndorff, and Crout—10.

*Nays*—Messrs. Hudgins, Trippe, Ward, Bond, Price, Berry, and Freeberger—7.

The Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Wednesday, October 11, 1871. .

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Mr. Bruce.

Mr. Torsch presented a petition from the Pacific and Atlantic Telegraph Company for permission to erect poles, which was read and referred to the Joint Standing Committee on Highways.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompany resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of Louis Jones & Son asking remuneration for an injury to their horse on account of the bad condition of the streets, beg leave to report that the matter is more properly a subject for the consideration of the Courts than for the Council. They therefore ask the adoption of the following resolution :

BENJ. PRICE,  
J. H. FREEBERGER,  
*First Branch.*

FREDERICK COOK,  
CHAS. G. KERR,  
*Second Branch.*

Resolved, That the committee be discharged from further consideration of the subject.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Wilson, Burns & Co. and others, asking the removal of the railway track on Howard street, between Lombard and Baltimore streets, beg to report that they have given the matter a thorough examination, and are of opinion that the prayer of the petitioners should be granted, and respectfully offer the following resolution and ask its adoption :

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

WILLIAM H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

Resolved, by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed and authorized to remove the railway track on Howard street, between Lombard and Baltimore streets, the expense to be taken out of the City Commissioner's appropriation for 1871.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the ordinance to open West street, between Scott and Ridgely, beg to report that they have given the premises a personal inspection, and are of the opinion that the same should be passed, and beg to offer the following ordinance and ask its passage:

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

WM. H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

An ordinance to condemn and open West street, between Scott street and Ridgely street.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Commissioners for Opening Streets be, and they are hereby, authorized and directed to condemn and open all that part of West street between Scott street and Ridgely street.

SEC. 2. And be it enacted and ordained, That any person or persons, or body corporate, who may be dissatisfied with the assessment of damages or benefits which shall be made by the said Commissioners, may appeal to the Baltimore City Court, at the time, in the manner, and after like notice by the Register as provided for in Ordinance No. 26, entitled "An ordinance to provide for exercising certain powers vested in this corporation in relation to streets in the city of Baltimore, approved April 2, 1866;" and the Collector and Register of the city shall also perform such duties in relation to streets as are required of them by the provisions of said ordinance.

On motion of Mr. Ehlers, the ordinance was read a second time by special order, title approved, and the ordinance declared passed.

At the request of Mr. Smyrk, it was ordered to be entered upon the Journal that had he been present yesterday he would have voted for the appropriation of \$100,000 for the Chicago sufferers.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the special order of the day, being an ordinance entitled, "An ordinance providing for the purchase and improvement of the property known as 'Bolton,' for the uses and purposes of the Baltimore City College, and making an appropriation therefor," the President accordingly announced the special order of the day, which was read.

Mr. Berry presented a protest from William J. King and others against the adoption of the ordinance, which was read.

On a motion by Mr. Mills to lay the ordinance upon the table, Mr. Crout demanded the yeas and nays, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Smyrk, Mills, Kernan, Ward, Sommerlock, Randall, Freeberger, Ehlers, Johnson, Orndorff, and Crout—14.

*Nays*—Messrs. Trippe, Torsch, Bond, Price, and Berry—5.

The ordinance was declared laid upon the table.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, October 10, 1871.

*Gentlemen of the First Branch :*

We respectfully inform you that we have concurred in your proposition to appoint a joint committee of conference on the disagreeing votes of the two Branches on the erection of a barber pole by A. Cutino, and name, on the part of this Branch, Messrs. Duke, Vickery, and Milroy.

By order,

GEO. T. BEALL, JR., *Clerk.*

Mr. Weitzell offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Port Warden be, and he is hereby, authorized and directed to have cleaned the docks at the foot of Bond street, as in their present condition they are a nuisance to the neighborhood.

On a motion by Mr. Bond to refer the resolution to the Committee on Harbor, the yeas and nays were demanded by Mr. Hudgins, resulting as follows :

*Yeas*—Messrs. Bond, Randall, Berry, and Ehlers—4.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Mills, Kernan, Ward, Torsch, Price, Freeberger, Johnson, Orndorff, and Crout—14.



The Branch refused to refer.

Mr. Berry offered the following amendment, which was read :

Insert after the words " Bond street," the words " and also the Basin."

Mr. Mills offered the following amendment to the amendment, which was read :

Add, to come in at end of resolution, "And that \$10,000 be appropriated to defray the expenses of the same, to be taken out of the levy of 1871."

On a motion by Mr. Johnson to lay the matter on the table, the yeas and nays were demanded by Mr. Hudgins, resulting as follows :

*Yeas*—Mr. Ehlers—1.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Johnson, and Orndorff—17.

The Branch refused to lay the matter on the table.

Mr. Mills withdrew his amendment to the amendment.

The question being on the adoption of the amendment, it was declared adopted.

The question recurring on the adoption of the resolution, as amended, it was declared adopted.

Mr. Randall offered the following resolution, which was read and adopted :

Resolved by the First Branch of the City Council of Baltimore, That the City Comptroller be requested to inform this Branch whether he has contracted or agreed with the Gaslight Company of Baltimore for the laying of gas-mains on Vine street, between Pine and Poppleton streets, as called for by petition, and directed by resolution passed May 28, 1871.

The President presented an invitation from Gen. Isaac R. Trimble to attend the delivery of an oration on the life and character of Gen. R. E. Lee, by Gen. Wade Hampton, to-morrow (Thursday) evening at 8 o'clock, at the Concordia, which was read, and, on motion of Mr. Berry, the invitation was accepted.

Mr. Mills called up the ordinance known as No. 40 on the file, being an ordinance entitled "An ordinance creating a Joint Standing Committee on Printing, and for other purposes, which was read.

Mr. Mills offered the following amendments:

In [section 5, 5th line, after the word "printing," in middle of line, insert "and stationery."

On same line, after "printing," at end of line, insert "or other articles."

The question being on the adoption of the amendments, they were declared adopted.

The question being on the passage of the ordinance, as amended, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Sommerlock, Berry, Freeberger, Ehlers, Johnson, Orndorff, and Crout—16.

*Nays*—None.

The ordinance was declared passed, and the title approved.

The following resolutions were received from the Second Branch, respectively endorsed "adopted."

Resolution of sympathy to Chicago sufferers.

Resolution appropriating \$100,000 to Chicago sufferers.

Resolution granting permission to Dr. F. T. Cherry to erect a stable at No. 49 German street.

Resolution requesting Water Board to push to early completion the new reservoir within the Park.

Resolution making appropriation for the Fire Department.

Resolution granting permission to James Gallagher to erect a livery stable on the southeast side of Howard street

Resolution refunding to St. Bartholomew's Church \$605.79.

Resolution to whitewash the Hanover market.

Resolution for gas lamp on Frederick avenue.

Resolution for gas-mains on Garden and Little Ross streets.

Resolution to pay Priscilla E. Chappell \$4.83.

Resolution for a sewer along the centre of the bed of Republican street, and appropriating \$3,500 for the same.

Resolution appropriating \$800 for fire-alarm boxes at the corners of Calvert and Lombard, Camden and Charles streets, and Pratt street bridge.

On motion of Mr. Weitzell, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Thursday, October 12, 1871.

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The Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., President, and all the members except Messrs. Smyrk, Johnson, and Orndorff.

Mr. Crout presented a remonstrance from George Rhinehart and others against the opening of Raborg street, which was read and referred to the Joint Standing Committee on Highways.

Mr. Trippe, from the Joint Standing Committee on Ways and Means, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Ways and Means, to whom was referred a communication from His Honor the Mayor, for an appropriation for the completion and equipment of the new ice boat, respectfully report that the near approach of the winter season and the importance of keeping the harbor open for the purposes of navigation make the completion of the ice boat a commercial necessity. They therefore offer the following resolution and ask its adoption :

A. C. TRIPPE,  
H. CROUT,  
BENJAMIN PRICE,  
*First Branch.*

CHAS. G. KERR,  
H. MCCOY,  
WM. H. VICKERY,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, that the sum of ten thousand dollars, or so much thereof as may be necessary, be appropriated for the completion and equipment of new city ice boat, the same to be paid to H.



L. Whitridge, Esq., Chairman of Commissioners of Harbor and River Relief Board, for that purpose.

On motion of Mr. Trippe, the resolution was read a second time, by special order, and adopted.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of the Pacific and Atlantic Telegraph Company of the United States for permission to rebuild their lines from the corner of Calvert and Lexington streets, &c., respectfully report that, after considering the said petition, they deem it right and proper that the privilege asked for should be granted. Your committee therefore offer the following resolution and respectfully ask its adoption :

S. SANDS MILLS,  
JNO. W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

WM. H. VICKERY,  
JESSE R. OGLE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That permission be, and the same is hereby, granted to the Pacific and Atlantic Telegraph Company to rebuild their lines from the corner of Calvert and Lexington streets, along Calvert to Fayette street, along Fayette to North street, and thence to No. 13 South street, the Company's office, the said work to be done under the supervision of the City Commissioner.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of John G. Moore, beg leave to report the result of their investigations :

Moore asks the Council to pay him the sum of \$185.54 for services performed as watchman for seventy-eight Sundays on the city yard.

The committee are informed that all the other laborers performing the same duties have been paid for their services either by this Council or the last, and upon consultation with the City Comptroller have ascertained that the number of days charged by Moore is correct. They therefore recommend the adoption of the following resolution :

BENJ. PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

FREDERICK COOK,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to John G. Moore the sum of one hundred and eighty-five dollars and fifty-four cents out of any money he may have in his hands not otherwise appropriated ; provided, the said Moore shall give a proper receipt therefor.

On motion of Mr. Price, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read :

The Joint Standing Committee on Claims, to whom was referred the petition of the Rev. Samuel Shannon and others for an abatement of the assessment for the opening of Chester street upon the trustees of the Jefferson Street M. E. Church, have, after investigation, concluded to offer the following report :

This church is missionary, and, besides having no fund for its support, is devoted to educating and giving religious instruction free of charge. In the opinion of the committee the assessment ought to be abated. In this view we offer the following resolution:

BENJ. PRICE,  
JACOB H. FREEBERGER,  
H. CROUT,

*First Branch.*

FREDERICK COOK,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the City Register be, and he is hereby, authorized and directed to pay to the City Collector the amount of the assessment for the opening of Chester street upon the trustees of the Jefferson Street M. E. Church on a lot of ground, upon which a mission chapel is erected, on the east side of Chester street, between Fayette and Orleans streets, and that the City Collector be, and he is, authorized to close the account on his books.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

Mr. Price, from the Joint Standing Committee on Claims, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Claims, to whom was referred the petition of Theodore R. Remy, dog-killer, have examined the question and beg leave to report as follows:

The committee find upon examination that the number of dogs killed in the district for which Remy petitions was 981, which at fifty cents each would be four hundred and eighty dollars and fifty cents (\$480.50.) The Comptroller has already paid to said Remy \$111, leaving a balance due of \$379.50. They further find that this amount of money should be properly appropriated by the Com-

troller, and therefore report the following resolution and recommend its adoption :

BENJAMIN PRICE,  
J. H. FREEBERGER,  
H. CROUT,

*First Branch.*

FREDERICK COOK,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the sum of three hundred and seventy-nine dollars and fifty cents be, and the same is hereby, appropriated to pay for the killing of dogs in the district represented by Theodore R. Remmey, dog-killer, and the Register be, and he is hereby, authorized and directed to pay the sum aforesaid into the hands of the Comptroller, to be by him paid over according to right and justice in the matter, the said Comptroller taking proper receipts therefor at the time of payment.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Ehlers offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the Inspector of Buildings be, and he is hereby, directed to have the Cross street market-house whitewashed, and that the sum of thirty dollars is hereby appropriated for the same, to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Ehlers, the resolution was read a second time, by special order, and adopted.

Mr. Torsch called up ordinance known upon the file as No. 41, entitled "An ordinance to lay railway tracks on German, Charles, Sharp and other streets in the city of Baltimore," which was read.

Mr. Trippe offered the following amendment, which was read :



Strike out in lines 11 and 12 all within the parenthesis.

The amendment was declared adopted.

Mr. Torsch offered the following amendment which was read :

In section 1, strike out all after the word "avenue," in line 26, and down to the word "they," in line 35, and insert, "to the city limits, and on McMechen street, from Bolton street to the city limits, they may lay down and construct a double track; also a single track on John street, from McMechen street to the city limits, and on Jefferson street, from the eastern limits of the city, to and on Aisquith street, to and on Eager street, to and on Cathedral street, to and on Biddle street, to and connecting with the track on Park avenue, and on Gist street, from the Jefferson street track to the north side of Baltimore street, and on Ross street and Druid Hill avenue, from the Howard street track to the city limits, or convenient to the Park Commissioners' railway station; and on Gold street, from Druid Hill avenue to and on McCulloh street to the city limits, they may lay down and construct a double track."

The amendment was declared adopted.

Mr. Bruce offered the following amendment, which was read :

In section 1, after the word "track," in line 50, insert, "and when Lexington street shall have been opened from Holliday street to Douglass street or Aisquith street, they may lay down and construct a double track; on Lexington street (or such street as may be opened through) from the east side of Monument Square to and on Aisquith street to and connecting with the Jefferson street track."

The amendment was declared adopted-

Mr. Price offered the following amendment, which was read :

In section 2, line 3, strike out the word "unnecessarily."

The amendment was declared adopted.

Mr. Price offered the following amendment, which was read :

In section 2, line 11, after the word "tracks," insert the following: "to the hindrance and delay of the cars."

The amendment was declared adopted.

Mr. Torsch offered the following amendment, which was read :

In section 3, strike out all after the word "from," at the end of second line, and insert, "and along the route from the eastern limits of the city to North avenue, and from and along the route from South street or Baltimore street to North avenue, or to the western limits of the city, shall not exceed six (6) cents."

Mr. Trippe offered the following amendment to the amendment, which was read :

Strike out all section three to the word "all" in line nine, and insert, "and be it enacted and ordained that the fare for the transportation of a single passenger from any portion of the route to another shall not exceed six cents."

The amendment to the amendment was declared adopted, and the amendment was declared rejected.

Mr. Trippe offered the following amendment, which was read :

In section three, line sixteen, strike out "four," and insert "two."

The amendment was declared adopted.

Mr. Price offered the following amendment, which was read :

Strike out section eight and insert in lieu thereof the following as section eight:

And be it enacted and ordained that the running time of the cars on each and all of the routes named in the ordinance shall not exceed five minutes apart.

The amendment was declared adopted.

Mr. Mills offered the following amendment, which was read :

To come in as section nine of the bill :

“And be it enacted and ordained, That the company shall cover all gutters over which its railways pass, with iron plates.”

The amendment was declared adopted.

Mr. Mills moved that the original section 8 be section 10.

The motion was adopted.

On motion of Mr. Trippe, the first section of the bill was reconsidered.

Mr. Trippe offered the following amendment, which was read :

In section 1, line 11, after the word “guage,” insert “with turn-tables at the termini of the route.”

The amendment was declared adopted.

The question recurring on the passage of the ordinance, the title was approved, and the ordinance declared passed as amended.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the City Comptroller be, and he is hereby, directed to have gas-mains laid in Eastern avenue from Chester to Cannon streets.

On motion of Mr. Weitzell, the resolution was read a second time, by special order, and adopted.

The following ordinance was received from the Second Branch and read :

An ordinance to pave Park street, between Richmond and Biddle streets.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be,

and he is hereby, authorized and directed to have paved, as provided for in the ordinance of the city, all that part of Park avenue and Park street from Richmond to Biddle street, placing usual 4-feet dressed flags at all crossings.

SEC. 2. And be it enacted and ordained, That the cost of paving said street and avenue, as aforesaid, be assessed on the property binding thereon, as provided in the law and ordinance for the paving of streets in the city of Baltimore; and the City Commissioner, the Register and the Collector are hereby authorized and directed to do all acts and things necessary and proper to carry into effect the objects of the ordinance.

On motion of Mr. Berry, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That the Comptroller be, and he is hereby, authorized and directed to have gas mains laid on Constitution street from Eager street south to Truxton street, and on Grove alley from Eager street south to Truxton street.

On motion of Mr. Kernan, the resolution was read a second time, by special order, and adopted.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That Wm. Wilkins & Co. be, and they are hereby, authorized and granted permission to lay a drain pipe from their warehouses on Pratt street to connect with a sewer, corner of Pratt and Howard streets.

The following resolution was received from the Second Branch and read:

Resolved by the Mayor and City Council of Baltimore, That the Register be, and he is hereby, directed to pay from any funds in the treasury not otherwise appropriated,



for the grading, curbing, and paving of the intersections of Mosher and Carey, Mosher and Republican, and Carey and Townsend streets, at the same price paid by the owners of the property on said streets adjacent to said intersections, provided, the same be approved by the City Commissioner.

On motion of Mr. Hudgins, the resolution was read a second time, by special order, and adopted.

The following ordinance was received from the Second Branch and read :

An ordinance supplementary to an ordinance entitled "An ordinance to provide for the reorganization of the Fire Department of the city of Baltimore, approved February 21st, eighteen hundred and sixty-eight."

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That so much of section six of ordinance number seven of the City Code as fixes the salaries of the Chief and Assistant Engineers be, and the same is hereby, repealed.

SEC. 2. And be it further enacted and ordained, That the salary of the Chief Engineer shall be twenty-five hundred dollars per annum, payable monthly, and the salaries of the Assistant Engineers shall be eighteen hundred dollars per annum, payable monthly.

SEC. 3. And be it enacted and ordained, That this ordinance shall take effect from and after its passage.

The ordinance was declared laid on the table.

The hour of 6½ o'clock having arrived, being the hour for the consideration of the special order of the day, being the report of the Joint Standing Committee on Claims, with accompanying resolution in favor of Wm. Carmine, an injured policeman, the President accordingly announced the special order of the day, which was read.

The question being on the adoption of the amendment offered by Mr. Johnson (see Journal First Branch, page 1131), Mr. Bond offered the following amendment to the amendment, which was read :

Add after the word "officer," in the amendment, the words "and the widow of John Smith."

The question being on the adoption of the amendment to the amendment, it was declared rejected.

On a motion by Mr. Bond to lay the subject on the table, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. Bruce, Mills, Ward, Bond, Sommerlock, Randall, Berry, and Ehlers—8.

*Nays*—Messrs. President, Hudgins, Trippe, Kernan, Price, and Freeberger—7.

The subject was declared laid on the table.

Mr. Mills called up the resolution, received from the Second Branch this evening, granting permission to lay a drain pipe to Wm. Wilkins & Co., which was read. (See opposite page.)

On motion of Mr. Mills, the resolution was read a second time, by special order.

On a motion by Mr. Price to lay the subject on the table, the yeas and nays were demanded by Mr. Mills, resulting as follows:

*Yeas*—Messrs. Hudgins, Price, Berry, Freeberger, and Ehlers—5.

*Nays*—Messrs. President, Trippe, Bruce, Mills, Kernan, Ward, Torsch, Bond, Sommerlock, and Randall—10.

The Branch refused to lay on table, and question recurring on the adoption of the resolution, it was declared adopted.

On motion of Mr. Sommerlock, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

Friday, October 13, 1871.

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The Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., President, and all the members except Mr. Smyrk.

Mr. Johnson offered a message to the Second Branch proposing to go into convention for the purpose of electing a School Commissioner for the 18th ward, to fill a vacancy occasioned by the removal of Dr. H. L. Spicer from the ward.

The message was ordered to be sent.

Mr. Bond presented a petition from Geo. Appold & Sons and others for the extension of North Boundary avenue from York turnpike as far east as Belair avenue, which was read and referred to the Joint Standing Committee on Highways.

The President presented a communication from James Curran, Water Engineer, in reply to resolution of this Branch as to cost of erecting drinking fountains, which was read and referred to the Joint Standing Committee on Water.

Mr. Johnson presented a communication from James Curran, Water Engineer, with accompanying bill for laying main pipe on Hollins street, between Stricker and Gilmore streets, which was read and referred to the Joint Standing Committee on Water.

Mr. Mills, from the Joint Standing Committee on Highways, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on Highways, to whom was referred the petition of Browne & Brune and others, asking the city to receive a deed, in fee, for the bed of Brune

street, between Adams and George streets, and of Clark street, from Brune to Fremont street (both of which have been opened and graded and are about to be paved by the petitioners), respectfully report that having carefully considered the merits of said application, think it of interest to the city that the same should be done. Your committee therefore offer the following ordinance and respectfully ask its passage :

S. SANDS MILLS,  
JOHN W. TORSCH,  
G. MORRIS BOND,

*First Branch.*

JESSE R. OGLE,  
WM. H. VICKERY,

*Second Branch.*

An ordinance to accept from the owners a deed for the bed of Brune street, from George to Adams street, and of Clarke street, from Brune to Fremont street, and to pay for the grading, paving, and curbing at the intersection of said streets.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That upon the completion of the paving of Brune street, from George to Adams street, and of Clarke street, from Brune to Fremont street, by the owners of said streets, the Mayor and City Council of Baltimore will accept a deed of the bed of said streets so to be paved, from the owners, to be approved by the Solicitor of the city.

SEC. 2. And be it enacted and ordained, That upon the execution of such deed, the Register of the city be, and he is hereby, directed to pay to said owners or their assignees, the cost of grading, paving, and curbing said streets, at their intersection, at the price at which said owners have contracted therefor.

On motion of Mr. Mills, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

The following message was received from the Second Branch and read :



IN SECOND BRANCH,  
Baltimore, October 13, 1871.

*Gentlemen of the First Branch:*

We respectfully inform you that we have concurred in your proposition to go into convention to select a School Commissioner for the 18th ward.

By order,

GEO. T. BEALL, JR., *Clerk.*

Mr. Johnson, from the Joint Standing Committee on Harbor, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on the Harbor, to whom was referred the resolution giving permission to Richard Wells to repair and straighten the wharf in front of his property at the foot of Bond street, ask leave to report that the repair and straightening of the wharf front will be an improvement to the property of the neighborhood generally, and does not meet with any objection on the part of the owners of property adjoining, so far as your committee are able to ascertain. They therefore submit the following resolution and recommend its adoption:

JOSEPH G. JOHNSON,  
A. E. SMYRK,  
J. C. RANDALL,  
*First Branch.*

H. MCCOY,  
DANIEL CONSTANTINE,  
JOHN MILROY,  
*Second Branch.*

Resolved by the Mayor and City Council of Baltimore That permission be, and is hereby, granted to Richard Wells to repair and straighten the line of his wharf at the foot of Bond street to a point connecting with the foot of said street.

On motion of Mr. Johnson, the resolution was read a second time, by special order, and adopted.

The Second Branch returned the following resolutions respectively endorsed, "adopted:"

Resolution adverse to claim of Louis Jones & Son.

Resolution granting permission to the Pacific and Atlantic Telegraph Company to rebuild their lines on certain streets.

Resolution to remove the railway track on Howard street between Lombard and Baltimore.

Resolution to pay for killing dogs.

Mr. Orndorff offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, directed to place flags-tones four feet wide on Republican street, at both crossings of Franklin street, and also on Carey street at both crossings of Franklin street, the expense of the same to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Orndorff, the resolution was read a second time, by special order, and adopted.

Mr. Trippe offered the following ordinance, which was read :

An ordinance to grade and pave Mosher street, between Madison and Liden avenues.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and directed to have Mosher street graded and paved between Madison avenue and Linden avenue, and that flag-stones four feet wide be placed at all crossings.

SEC. 2. Be it further enacted and ordained, That the cost of grading and paving said street shall be assessed on the property binding thereon, as provided in the ordinances of the Mayor and City Council relating to streets and the City Commissioner.

SEC. 3. Be it further enacted and ordained, That the City Register and Collector be, and they are hereby, authorized and directed to do all acts and things necessary and proper to carry into effect the objects of this ordinance.

SEC. 4. Be it further enacted and ordained, That this ordinance take effect from and after the date of its passage.

On motion of Mr. Trippe, the ordinance was read a second time by special order, title approved, and the ordinance declared passed.

The Second Branch returned the ordinance entitled "An ordinance to condemn and open West street between Scott and Ridgely streets," endorsed "passed."

On motion of Mr. Johnson, Messrs. Johnson and Kernan were appointed to invite the Second Branch into convention.

The two Branches then went into convention, and after some time spent therein, the members of the Second Branch returned to their Chamber.

Business being resumed, Mr. Bond offered a message to the Second Branch, at 5 minutes past 6 o'clock, proposing a recess until 20 minutes past 6 o'clock.

The message was ordered to be sent.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, October 13, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening it stand adjourned until Monday afternoon next at 5 o'clock.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

The question being on the subject of the message, the yeas and nays were demanded by Mr. Hudgins, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Bond, Price, Sommerlock, Freeberger, Ehlers, and Johnson—14.

*Nays*—Messrs. Kernan, Randall, Berry, Orndorff, and Crout—5.

The Branch concurred.

Mr. Johnson, from the Joint Standing Committee on Jones' Falls, submitted the following report and accompanying ordinance, which were read :

Early in June last the City Council by an almost unanimous vote passed an ordinance creating a commission of citizens, known and respected for intelligence and integrity, to "fully examine all reasonable plans for the improvement of Jones' Falls, and for the relief of the citizens of Baltimore from the dangers and damage incident to its overflow," and "to report to the Council, as the result of such examination, the plan for said improvement which shall seem to said Commissioners to be, under all circumstances, the best and most expedient." This commission was also "authorized and required to obtain the services of one or more experienced and competent engineers to make professional surveys and examinations for them, and to consult on all matters relating to the subject." The report of that commission, with the accompanying opinion and suggestions of the distinguished engineers employed by them, have been carefully considered.

The fact that these papers, which were published several weeks ago, and have been made the subject of extended comment by the leading newspapers, seem to have given general satisfaction, is a subject of congratulation to our community that has been for nearly three years excited by conflicting views and interests as to the mode and measure of remedy proper to be applied in case of acknowledged public evil. It certainly will not be wondered at that this committee, and we believe the entire Council, feel peculiar pleasure in being able to refer to the calm and impartial judgment of this last commission, and to the well-considered and clearly expressed views of Messrs. Craighill and



Kneass, for an ample vindication of the essential features of the plan heretofore adopted, and which received at one time from the press and a portion of the people such adverse criticism.

The modifications and changes suggested in the reports to have been adopted by your committee, with the single exception that we have preferred to adhere to the straight line of the Tyson plan, involving, as it does, in our judgment, the condemnation of less valuable property. We have prepared a supplementary ordinance appointing the five Commissioners, whose recent action has been so well received, to act as the permanent Board for the execution of the work, and making such other amendments to the original ordinance as we deemed advisable. All of which, with the accompanying ordinance, we respectfully submit.

JOS. G. JOHNSON,  
A. C. TRIPPE,  
G. MORRIS BOND,  
GEO. R. BERRY,  
OWEN WARD,

*First Branch.*

A. W. DUKE,  
HARRY McCOY,  
CHAS. G. KERR,

*Second Branch.*

On motion of Mr. Ehlers, the Branch adjourned until Monday afternoon, October 16th, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

Monday, October 16, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members.

Mr. Johnson, from the Joint Standing Committee on Harbor, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on the Harbor, to whom was referred the application of Stirling, Ahrens & Co., of the Calvert Sugar Refinery, asking permission to straighten the line of their wharf in front of their property adjoining the draw-bridge on the west side, ask leave to report that they have examined the property where the proposed improvement is contemplated, and see no reason why the request should not be granted. Your committee are aware of the great advantage this improvement will be pecuniarily to the Sugar Refining Company, and in the increased facilities for extended business, but it is an advantage that can only redound to this company, and will in the judgment of your committee, give employment to an increased number of persons. And to effect that purpose your committee offer the following ordinance and ask its passage :

JOS. G. JOHNSON,  
A. E. SMYRK,  
J. C. RANDALL,  
*First Branch.*

H. McCOY,  
DANIEL CONSTANTINE,  
JOHN MILROY,  
*Second Branch.*

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Port Warden be, and

he is hereby, authorized, if in his judgment it is conducive to the public interest, to change the Port Warden's line on the east side of the wharf of the Calvert Sugar Refining Company, adjoining the draw-bridge, to a point six feet east from the southeast corner of their present wharf, so as to straighten the eastern front; and

SEC. 2. Be it further enacted and ordained, That all ordinances or parts of ordinances conflicting with this be, and they are hereby, repealed; and

SEC. 3. Be it further enacted and ordained, That this ordinance shall take effect from and after its passage.

The ordinance was declared laid upon the table.

Col. Wm. Robertson, Secretary to the Mayoralty, appeared at the bar of the Branch with a communication from his Honor the Mayor.

The President presented a communication from his Honor the Mayor with reference to the extension of Battery Square, which was read and referred to the Joint Standing Committee on Parks.

The President presented the following communication, which was read:

COMPTROLLER'S OFFICE,  
Baltimore, October 16, 1871.

*To the President and Members of the*

*First Branch of the City Council:*

GENTLEMEN:—

In reply to the following resolution, passed by your Honorable Body, "Resolved, That the City Comptroller be requested to inform this Branch whether he has contracted or agreed with the Gaslight Company of Baltimore for the laying of gas-mains on Vine street, between Poppleton and Pine streets," he would respectfully state that the order has been given to lay said mains, but has been delayed, owing to the Company being compelled to lay a 20-inch main, which, when completed, they have promised to attend to

the laying of mains in accordance with the ordinance of the Mayor and City Council of Baltimore.

Respectfully yours,

SAM'L MACCUBBIN,

*Comptroller.*

On motion of Mr. Johnson, Messrs. Johnson and Hudgins were appointed a committee of two by the President to invite the Second Branch into convention on a sealed communication from his Honor the Mayor.

Mr. Randall, from the Committee on City Property, submitted the following report and accompanying ordinance, which were read :

The Joint Standing Committee on City Property, to whom was referred the several communications from different parties to place the names of streets on the lamps of the city, respectfully report that, after having examined all the different plans and specifications, they have concluded to recommend the Markland plan, with combined frame surrounding the lamp. We believe it to be the cheapest, most durable and sightly, and therefore recommend the passage of the accompanying ordinance :

J. C. RANDALL,  
JOHN F. SOMMERLOCK,  
J. H. FREEBERGER,

*First Branch.*

JESSE R. OGLE,  
FREDERICK COOK,

*Second Branch.*

An ordinance to place and designate upon all the city lamps put up or erected on or in the public avenues, streets, alleys, lanes, public squares, springs, and public buildings in the city of Baltimore, the names of such avenues, streets, alleys, lanes, public squares, city springs, and public buildings on or in which the said lamps stand.

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That there shall be, and Thomas



J. Welby be, and he is hereby, authorized and empowered to put and place in a neat, substantial, and secure manner, on all lamps in the city of Baltimore, belonging to said city, standing in or on the public avenues, streets, alleys, and lanes, and standing in, on or in front of all public squares, city springs, and public buildings belonging to said city, the respective names of such avenues, streets, alleys and lanes, and the name of each public building, square, and spring, the names of streets running with, pointing the direction or course which they run, four name-plates to be placed on each lamp, the lamps aforesaid standing at the corners of said avenues, streets, alleys, and lanes shall have on such lamps the respective names of the cross streets, avenues, alleys, or lanes which cross or form a corner, the names of said cross streets, avenues, alleys, and lanes shall be so placed on said lamps as to run with and point the direction of such street, avenue, alley, or lane.

SEC. 2. Be it enacted and ordained, as aforesaid, That the name-plates mentioned in the first section of this ordinance shall be uniform throughout the city, and shall be the one patented by Thomas T. Markland, Jr., which is the block letter made of metal with space between them, and connected together by means of a frame surrounding the lamp so that the name of the street, avenue, alley, lane, public square, spring or building may be read in passing up or down the street, and making no obstruction to light from the lamps, or to cleaning them, and so as to be readily read by day or night.

SEC. 3. Be it enacted and ordained as aforesaid, That the said name-plates shall be put up under the supervision of the City Comptroller, and the said Thomas J. Welby shall be paid fifty cents for each name plate when 500 of said lamps are completed ; and said Thos. J. Welby shall also be paid, as aforesaid, from time to time, for each subsequent five hundred lamps completed, as aforesaid, until the whole are completed ; and for any fractional number of lamps required to finish and complete all of said lamps.

SEC. 4. Be it enacted and ordained as aforesaid, That payments shall be made as aforesaid, by the City Register, upon the warrant of the City Comptroller, out of any money in the city treasury not specially appropriated.

SEC. 5. Be it enacted and ordained as aforesaid, That all of the work mentioned in this ordinance shall be completed on or before the first day of March one thousand eight hundred and seventy-two. This ordinance to take effect from the date of its passage.

The ordinance was declared laid upon the table.

Mr. Bond offered the following resolution, which was read and adopted:

Resolved by the First Branch City Council of Baltimore, That the City Solicitor be requested to inform this Branch whether or not the refusal or neglect of the Gas Company to lay the mains on Garden street, between Madison and Monument streets, as directed by a resolution of this Council some months since, is not a violation of their contract with the city.

Mr. Ward offered the following resolution, which was read:

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized to have the Centre Market-house whitewashed, and that the sum of \$150 be, and the same is hereby, appropriated, to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Ward, the resolution was read a second time, by special order, and adopted.

Mr. Trippe announced that there would be a special train leave the Camden Station to-morrow afternoon at 4 o'clock, to convey the Council to meet the Pittsburg, Wheeling and Cumberland visitors.

Mr. Bond, from the Joint Standing Committee on Water, submitted the following report and accompanying resolution, which were read:

The Joint Standing Committee on Water, to whom was referred the recent communication of the Water Registrar in regard to the feasibility, as well as the probable cost of locating at suitable points throughout the city twenty drinking fountains, beg leave to report that they have con-

sidered the matter, and are forcibly impressed with the importance of furnishing to the public a full, free and convenient supply of pure water; such a provision they consider not only a matter of comfort, but as having a most important bearing upon the health of the community. Your committee are pleased to observe that the draft of the drinking fountains furnished by the Water Registrar, and accompanying his communication, contemplates the attachment to each of a trough for watering horses. It is to the shame of our humanity that such an appliance has heretofore been neglected in the fountains erected within our city limits, and your committee would recommend that hereafter no fountain should be erected upon our thoroughfares without such a trough. Its cost is but a trifle; its comforts to the horse can hardly be estimated.

In conclusion, it gives your committee pleasure to report to this Council the following resolution, the adoption of which is earnestly recommended:

G. MORRIS BOND,  
LEWIS EHLERS,

*First Branch.*

FREDERICK COOK,  
DANIEL CONSTANTINE,

*Second Branch.*

Resolved by the Mayor and City Council of Baltimore, That the Water Board be, and is hereby, requested to have erected at suitable, and as far as possible equi-distant points throughout the city limits, twenty drinking fountains with horse-trough attached to each, and of the pattern designated by and accompanying a communication of the Water Registrar to this Council, dated October 13, 1871, and that the sum of \$1,000 be, and the same is hereby, appropriated for the same, to be taken out of the levy of 1872 for pumps, &c.

On motion of Mr. Bond, the resolution was read a second time by, special order, and adopted.

Mr. Price offered the following resolution, which was read and adopted:



Resolved by the First Branch City Council of Baltimore, That for the recess days of the present session of the Council the per diem of the Assistant Clerk of this Branch be the same as the per diem of the Assistant Clerk of the Second Branch.

The following message was received from the Second Branch and read :

IN SECOND BRANCH,  
Baltimore, October 16, 1871.

*Gentlemen of the First Branch :*

We respectfully propose, with your concurrence, that when the Council adjourn this evening it stand adjourned until Friday afternoon next, October 20, 1871, at 5 o'clock.

By order,

GEORGE T. BEALL, Jr., *Clerk.*

On motion of Mr. Johnson, the Branch concurred.

Mr. Randall offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Inspector of Buildings be, and he is hereby, authorized and directed to have such improvements made in the court-room now occupied by Judge Scott, and the room in the same building occupied by Judge Pinkney as the Court of Equity, as he may deem necessary for the proper ventilation and other necessary accommodations for their comfort and convenience ; and the sum of eleven hundred dollars, or so much thereof as may be needed, be, and the same is hereby, appropriated, to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

Mr. Price offered the following resolution, which was read and adopted :

Resolved by the First Branch City Council of Baltimore, That the Register be, and he is hereby, authorized and



directed to pay W. W. Orndorff, a member of this Branch, the salary as a member of this Branch, to be taken out of the diary of the City Council for the year 1871.

Mr. Johnson called up ordinance known on the file as No. 45, an ordinance making further provision for Jones' Falls, which was read.

On a motion by Mr. Johnson to make the ordinance the order of the day for Friday next at 5½ o'clock, the yeas and nays were demanded by Mr. Crout, resulting as follows:

*Yeas*—Messrs. President, Hudgins, Trippe, Bruce, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, and Orndorff—17.

*Nays*—Mr. Crout—1.

The ordinance was declared laid on the table, and made the special order of the day for Friday afternoon next at 5½ o'clock.

The following ordinance was received from the Second Branch and read:

An ordinance to provide for the grading, paving and curbing of Hargrove alley, between Eager and Chase streets.

Whereas, By a resolution of the Mayor and City Council of Baltimore, passed and approved October 30, 1869, Hargrove alley from Eager to Chase street was declared a public highway; and

Whereas, It is important that said alley should be graded, paved and curbed as speedily as possible; therefore,

SECTION 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, authorized and required to have Hargrove alley, between Eager and Chase streets aforesaid, graded, paved and curbed, and to assess upon the owners of property on said alley, between the streets named, their proportional part of the expenses of said grading, paving and curbing, as provided by chapter 322 of the acts of the General Assembly of Maryland, 1870.

On motion of Mr. Bond, the ordinance was read a second time, by special order, title approved, and the ordinance declared passed.

Mr. Berry called up the ordinance supplementary to an ordinance in relation to the Fire Department (see page 1170 First Branch Journal), which was read.

On a motion by Mr. Kernan to lay the ordinance on the table, and make it the special order of the day for Monday next at 5½ o'clock, the yeas and nays were demanded by Mr. Berry, resulting as follows:

*Yeas*—Messrs. Bruce, Kernan, Bond, Price, Sommerlock, John on, and Orndorff—7.

*Nays*—Messrs. President, Hudgins, Trippe, Smyrk, Mills, Ward, Torsch, Randall, Berry, Freeberger, Ehlers, and Crout—12.

The Branch refused to lay upon the table.

Mr. Johnson moved to lay the ordinance upon the table and make it the special order of the day at 6½ o'clock on Friday evening next.

Mr. Bond moved to amend by laying the ordinance on the table and making it the special order of the day for Monday next at 6½ o'clock, on which the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. Kernan and Bond—2.

*Nays*—Messrs. President, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Johnson, Orndorff, and Crout—17.

The Branch refused to make it the order of the day for Monday evening next at 6½ o'clock.

The question recurring on the motion of Mr. Johnson, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Trippe, Mills, Kernan, Ward, Bond, Ehlers, and Johnson—8.

*Nays*—Messrs. Hudgins, Bruce, Smyrk, Torsch, Price, Sommerlock, Randall, Berry, Freeberger, Orndorff, and Crout—11.

The Branch refused to make it the order of the day for Friday next at 5½ o'clock.

On a motion by Mr. Johnson to refer it to the Joint Standing Committee on Fire Department the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. Kernan, Sommerlock, Ehlers, and Johnson—4.

*Nays*—Messrs. President, Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Bond, Price, Randall, Berry, Freeberger, Orndorff, and Crout—15.

The Branch refused to refer.

On a motion by Mr. Johnson to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Kernan, Bond, Sommerlock, Ehlers, and Johnson.—6.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Orndorff, and Crout—13.

The Branch refused to adjourn.

On a motion by Mr. Johnson to lay the ordinance on the table and make it the special order of the day at 5¼ o'clock Friday afternoon next, the yeas and nays were demanded by Mr. Bruce, resulting as follows:

*Yeas*—Messrs. President, Ehlers, and Johnson—3.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Orndorff, and Crout—16.

The Branch refused to lay on the table.

On a motion by Mr. Bond to adjourn, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Bond, Ehlers, and Johnson—4.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Price, Sommerlock, Randall, Berry, Freeberger, Orndorff, and Crout—15.

The Branch refused to adjourn.

Mr. Berry demanded the previous question, which was seconded.

The question being, "Shall the main question be now put?" the yeas and nays were demanded by Mr. Johnson, resulting, as follows:

*Yeas*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Orndorff, and Crout—13.

*Nays*—Messrs. President, Kernan, Bond, Sommerlock, Ehlers, and Johnson—6.

Two-thirds voting in the affirmative, the main question was ordered to be put, which carried the bill one stage.

The second section of the bill was then read, on which Mr. Bond offered the following amendment, which was read:

Strike out the words "twenty-five," and substitute the words "two thousand dollars."

On a motion of Mr. Johnson to refer the amendment and whole subject to the Joint Standing Committee on Fire Department, the yeas and nays were demanded by Mr. Johnson, resulting as follows:

*Yeas*—Messrs. President, Ehlers, and Johnson—3.

*Nays*—Messrs. Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Orndorff, and Crout—16.



The Branch refused to refer.

The question recurring on the amendment, viz: "to strike out \$2,500, and insert \$2,000," the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Hudgins, Trippe, Kernan, Bond, Sommerlock, Randall, Ehlers, and Johnson—9.

*Nays*—Messrs. Bruce, Smyrk, Mills, Ward, Torsch, Price, Berry, Freeberger, Orndorff, and Crout—10.

The amendment was declared rejected.

Mr. Bond offered the following amendment, which was read:

Strike out the words "twenty-five hundred" and insert "twenty-two hundred."

The question being on the adoption of the amendment, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Hudgins, Trippe, Kernan, Bond, Sommerlock, Randall, and Ehlers—8.

*Nays*—Messrs. Bruce, Smyrk, Mills, Ward, Torsch, Price, Berry, Freeberger, Johnson, Orndorff, and Crout—11.

The amendment was declared rejected.

On a call by Mr. Price for the previous question, viz: "Shall the main question be now put?" the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. Smyrk, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Orndorff, and Crout—10.

*Nays*—Messrs. President, Hudgins, Trippe, Bruce, Kernan, Bond, Sommerlock, Ehlers, and Johnson—9.

The Branch refused to put the main question.

Two-thirds of the members not having voted in the affirmative, the whole subject was declared laid on the table.

Mr. Crout called up the ordinance entitled "An ordinance providing for the purchase and improvement of the property known as 'Bolton,' for the uses and purposes of the Baltimore City College, and making an appropriation therefor," which was read.

Mr. Bruce moved to recommit the ordinance to the Joint Standing Committee on Education, on which the yeas and nays were demanded by Mr. Sommerlock, resulting as follows:

*Yeas*—Messrs. President, Hudgins, Bruce, Mills, Ward, Sommerlock, Freeberger, and Ehlers—8.

*Nays*—Messrs. Trippe, Smyrk, Kernan, Torsch, Bond, Price, Randall, Berry, Johnson, Orndorff, and Crout—11.

The Branch refused to recommit.

On a motion by Mr. Ehlers to adjourn, the yeas and nays were demanded by Mr. Bruce, resulting as follows:

*Yeas*—Messrs. President, Hudgins, Mills, Sommerlock, Randall, Freeberger, and Ehlers—7.

*Nays*—Messrs. Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Bond, Price, Berry, Johnson, Orndorff, and Crout—12.

The Branch refused to adjourn.

Mr. Trippe offered the following amendment as section 7, which was read:

SEC. 7. And be it enacted and ordained, That this ordinance shall take effect from and after the date of its passage; and that all ordinances or parts of ordinances inconsistent with the provisions of this ordinance be, and the same are hereby, repealed.

The amendment was declared adopted.

The question being on the passage of the ordinance, the yeas and nays were demanded by Mr. Freeberger, resulting as follows :

*Yeas*—Messrs. Trippe, Smyrk, Kernan, Ward, Torsch, Bond, Price, Randall, Berry, Johnson, and Crout—11.

*Nays*—Messrs. President, Hudgins, Bruce, Mills, Sommerlock, Freeberger, Ehlers, and Orndorff—8.

The ordinance was declared passed, and the title approved.

The following resolution was received from the Second Branch and read :

Resolved by the Mayor and City Council of Baltimore, That the sum of twenty thousand dollars, or so much thereof as may be necessary for the purpose, be, and the same is hereby, appropriated to defray the expenses of entertaining the municipal authorities of the cities of Pittsburg, Wheeling, and Cumberland, invited to Baltimore and made the guests of the city by resolution of both Branches of the City Council.

On motion of Mr. Trippe, the resolution was read a second time, by special order.

The President offered the following amendment, which was read :

Strike out “ \$20,000 ” and insert “ \$10,000.”

On which the President requested the yeas and nays, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Bruce, Mills, Berry, Ehlers, and Crout—7.

*Nays*—Messrs. Trippe, Smyrk, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Randall, Freeberger, Johnson, and Orndorff—12.

The amendment was declared rejected.

The question being on the adoption of the resolution, it was declared adopted.

The Second Branch returned the following resolutions endorsed, "adopted:"

Resolution to whitewash Cross Street Market.

Resolution in favor of trustees of Jefferson Street Methodist Episcopal Church.

Resolution appropriating \$10,000 for the new city ice boat.

The Second Branch returned the ordinance to grade and pave Mosher street between Madison and Linden avenues, endorsed "passed."

On motion of Mr. Bond, the Branch adjourned until Friday afternoon, October 20, at 5 o'clock.

By order,

W. H. COLE, *Clerk.*



Friday, October 20, 1871.

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The Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., President, and all the members.

At the request of Mr. Weitzell, who was absent when the vote was taken on Monday evening last on the purchase of the Bolton property, his vote was ordered to be entered in the negative.

Mr. Bruce presented the following petition, which was read :

Whereas, in the Second Branch of the City Council, on the 16th inst., an ordinance entitled “ An ordinance to provide for cleaning the sediment from the harbor by contract,” was passed hastily and without due deliberation, and whereas we, the working men, Democratic Conservative voters of the Fifth Ward, have reason to know and do firmly believe that the making of the proposed ordinance a law at this time would be of no benefit, but on the contrary would be a serious detriment to the tax payers of Baltimore; and further believing that the conception and carrying out of said ordinance would work only to benefit certain contractors in whose interest said ordinance operates in a pecuniary sense and eventually to embarrass subsequent municipal administrations,

Therefore, resolved by the Democratic Conservative voters of the Fifth Ward, That we do heartily condemn and repudiate the action of the Second Branch of the City Council of Baltimore, in the passage of the ordinance above referred to, and call on our representative in the First Branch to oppose the passage of the same through the body of which he is a member.

Resolved, That we call on our fellow-Democrats and Conservatives of the several wards of the city, in ward meetings assembled, to give expression of their sentiments of this attempt to involve the party in intestine quarrels to the benefit of certain cliques who desire “ to rule or ruin.”

Resolved, That a committee of five, with the President of the Ward Organization as Chairman, be appointed to present a copy of this preamble and resolutions to the First Branch of the City Council, and to ask that body to non-concur in the adoption of the above-named ordinance, the passage of which at this time is but "a delusion and a snare."

LOUIS A. JAMART, President.

WM. H. DEETS, Secretary.

Mr. Price offered as a substitute to the motion of Mr. Bond, that the resolution be read.

The question being on the adoption of the substitute, Mr. Bond moved to dispense with the reading of the resolutions on account of their objectionable features, the yeas and nays were demanded by Mr. Berry, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Price, Randall, Berry, Freeberger, Ehlers, Johnson, and Orndorff—16.

*Nays*—Mr. Bond—1.

The resolutions were then read and referred to the Joint Standing Committee on Harbor.

Col. Wm. Robertson, Secretary to the Mayorality, appeared at the bar of the Branch with a message from His Honor the Mayor.

Mr. Bond presented a petition from Knox & Gill, and others, asking for the passage of the ordinance for the cleaning of the harbor by contract, which was read and referred to the Joint Standing Committee on Harbor.

The hour of 5½ o'clock having arrived, being the hour for the consideration of the special order of the day, being the ordinance for the improvement of Jones' Falls, the President accordingly announced the special order of the day, which was read.

On a motion by Mr. Price to postpone the ordinance and make it the special order of the day for to-morrow afternoon at 5½ o'clock, the yeas and nays were demanded by Mr. Hudgins, resulting as follows:

*Yeas*—Messrs. President, Trippe, Bruce, Smyrk, Mills, Kernan, Torsch, Price, Sommerlock, Randall, Berry, Johnson, Orndorff, and Crout—14.

*Nays*—Messrs. Weitzell, Hudgins, Ward, Bond, Freeberger, and Ehlers—6.

The ordinance was declared postponed and made the special order of the day for to-morrow afternoon at 5½ o'clock.

Mr. Randall offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be, and he is hereby, empowered to have gas lamps placed on St. Mary street, between Druid Hill avenue and Tessier street, at such places as he may deem necessary, the cost of said lamps to be taken out of the levy for 1871.

On motion of Mr. Randall, the resolution was read a second time, by special order, and adopted.

Mr. Crout offered the following resolution, which was read :

Resolved by both Branches of the City Council of Baltimore, That, in our judgment, it would be greatly to the interest of the tax-payers of Baltimore to petition the incoming Legislature to so amend the charter of the city as to require a two third vote of the Council to appropriate money for any purpose.

On a motion by Mr. Crout for a second reading of the resolution, the yeas and nays were demanded by Mr. Hudgins, resulting as follows :

*Yeas*—Messrs. President, Bruce, Mills, Sommerlock, Berry, Ehlers, and Crout—7.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Smyrk, Kernan, Ward, Torsch, Bond, Price, Randall, Freeberger, Johnson, and Orndorff—18.

The Branch refused to suspend the rules.

Mr. Crout offered the following resolution, which was read:

Whereas, Gas mains have been recently laid by the Peoples' Gas Company on North Stricker street, from Cooke street to the new Whatcoat M. E. Church ; and

Whereas, It is desirable that said thoroughfare should be lighted with gas to accommodate the large congregations attending the evening service of said church, and for the general convenience of the residents in the neighborhood ; therefore,

Resolved by the Mayor and City Council of Baltimore, That the City Commissioner be directed to have gas lamps erected on North Stricker street, at the intersection of all streets, from Cooke street to the Whatcoat M. E. Church, the expense to be taken out of any money in the treasury not otherwise appropriated.

On motion of Mr. Crout, the resolution was read a second time, by special order.

On a motion by Mr. Trippe to strike out the preamble, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Ward, Torsch, Bond, Sommerlock, Randall, Berry, Freeberger, and Ehlers—15.

*Nays*—Messrs. Mills, Johnson, Orndorff, and Crout—4.

The preamble was declared stricken out.

The question being on the adoption of the resolution, it was declared adopted.

Mr. Smyrk called up the ordinance on page 1183 of the First Branch Journal, entitled " An ordinance to place and designate upon all the city lamps put up or erected on or in the public avenues, streets, alleys, lanes, public squares, springs and public buildings in the city of Baltimore, the



names of such avenues, streets, alleys, lanes, public squares, city springs and public buildings, on or in which the said lamps stand," which was read.

On a motion by Mr. Orndorff the ordinance was laid on the table and made the special order of the day for to-morrow afternoon at 6 o'clock.

The yeas and nays were demanded by Mr. Orndorff, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Mills, Kernan, Ward, Torsch, Bond, Ehlers, Johnson, Orndorff, and Crout.—12.

*Nays*—Messrs. Trippe, Bruce, Smyrk, Price, Sommerlock, Randall, Berry, and Freeberger—8.

The ordinance was declared laid upon the table and made the special order of the day for to-morrow afternoon at 6 o'clock.

On motion of Mr. Johnson, Messrs. Johnson and Mills were appointed a committee of two to invite the Second Branch into convention on a sealed communication from His Honor the Mayor. The committee returned and reported that the Second Branch had no quorum.

Mr. Berry called up the ordinance on page 1170, First Branch Journal, entitled " An ordinance supplementary to an ordinance entitled ' An ordinance to provide for the reorganization of the Fire Department of the city of Baltimore, approved February 21st, 1868, ' " which was read.

On a motion by Mr. Sommerlock to refer the ordinance to the Joint Standing Committee on Fire Department, the yeas and nays were demanded by Mr. Berry, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Kernan, Bond, Sommerlock, and Ehlers—9.

*Nays*—Messrs. Smyrk, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Orndorff, and Crout.—10.

The Branch refused to refer.

Mr. Kernan offered the following amendment, which was read.

Strike out "\$2,500" and insert \$1,500" for the Chief, and for the Assistant "\$1,100."

The question being on the adoption of the amendment, the yeas and nays were demanded by Mr. Sommerlock, resulting as follows :

*Yeas*—Messrs. President, Bruce, Kernan, Bond, Sommerlock, and Ehlers—6.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Smyrk, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Orndorff, and Crout—13.

The amendment was declared rejected.

Mr. Bond offered the following amendment, which was read :

Strike out the words "twenty-five hundred" and insert the words "eighteen hundred."

The question being on the adoption of the amendment, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Trippe, Bruce, Kernan, Bond, Sommerlock, and Ehlers—7.

*Nays*—Messrs. Weitzell, Hudgins, Smyrk, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Orndorff, and Crout—12.

The amendment was declared rejected.

Mr. Bond offered the following amendment, which was read :

Strike out the words "eighteen hundred" and insert "twelve hundred."

The question being on the adoption of the amendment, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Trippe, Bruce, Kernan, Bond, Sommerlock, Randall, and Ehlers—8.

*Nays*—Messrs. Weitzell, Hudgins, Smyrk, Mills, Ward, Torsch, Price, Berry, Freeberger, Orndorff, and Crout—11.

The amendment was declared rejected.

On a motion by Mr. Kernan to adjourn, the yeas and nays were demanded by Mr. Berry, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Bruce, Kernan, Bond, Sommerlock, and Ehlers—7.

*Nays*—Messrs. Weitzell, Trippe, Smyrk, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Orndorff, and Crout—12.

The Branch refused to adjourn.

Mr. Kernan offered the following amendment, which was read :

Strike out the words “ eighteen hundred for the Assistants ” and insert in lieu thereof “ fifteen hundred.”

The question being on the adoption of the amendment, the yeas and nay were demanded by Mr. Sommerlock, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Freeberger, Ehlers, Orndorff, and Crout—18.

*Nays*—Mr. Bruce—1.

The amendment was declared adopted.

Mr. Bond offered the following amendment, which was read :

Add, to come in at the end of the second section, "Provided that this ordinancesb all not be construed as raising the salary of any official now holding position under the Fire Department."

The question being on the passage of the amendment, the yeas and nays were demanded, resulting as follows :

*Yeas*—Messrs. President, Bruce, Kernan, Bond, Sommerlock, and Ehlers—6.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Smyrk, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Orndorff, and Crout—13.

The amendment was declared rejected.

On a motion by Mr. Bond for the previous question, viz : "Shall the main question be now put," the yeas and nays were demanded by Mr. Bone, resulting as follows :

*Yeas*—Messrs. President, Smyrk, Mills, Kernan, Ward, Torsch, Bond, Price, Sommerlock, Randall, Berry, Ehlers, Orndorff, and Crout—14.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, and Freeberger—5.

The main question was put, which carried the bill to its next stage, being to the third section, which was read.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. Weitzell, Hudgins, Smyrk, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, Orndorff, and Crout—12.

*Nays*—Messrs. President, Trippe, Bruce, Kernan, Bond, Sommerlock, Ehlers, and Johnson—8.

The ordinance was declared passed as amended.

The question being on the approval of the title, Mr. Bond offered the following amendment to the title of the ordinance, which was read :



Strike out the title and amend as follows: "A bill to provide for the salary of the Fire Engineers."

On a motion by Mr. Bond for the previous question, viz: "Shall the main question be now put?" the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Trippe, Bruce, Kernan, Sommerlock, Randall, and Ehlers—7.

*Nays*—Messrs. Weitzell, Hudgins, Smyrk, Mills, Torsch, Bond, Price, Berry, Freeberger, Johnson Orndorff, and Crout—12.

The Branch refused to order the main question.

The question being on the adoption of the amendment, it was declared rejected.

The question recurring on the adoption of the title, the yeas and nays were demanded by Mr. Bond, resulting as follows:

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Smyrk, Bond, Price, Randall, Berry, Freeberger, Ehlers, Johnson, Orndorff, and Crout—14.

*Nays*—Messrs. Bruce, Mills, Kernan, Ward, Torsch, and Sommerlock—6.

The title was called approved.

Mr. Price called up ordinance on page 1182, First Branch Journal, entitled "An ordinance authorizing the Port Warden to change the Port Warden's line on the east side of the wharf of the Calvert Sugar Refinery Company, if in his judgment it be conducive to the public interest," which was read.

The question being on the passage of the ordinance, the title was approved and the ordinance declared passed.

On motion of Mr. Crout, the Branch adjourned until tomorrow afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk*.

Saturday, October 21, 1871.

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The Branch met pursuant to adjournment.

Present—GEO. W. BISHOP, Esq., President, and all the members except Messrs. Weitzell, Trippe, Smyrk, Mills, Kernan, Torsch, Randall, Freeberger, and Ehlers.

It appearing on a call of the roll that no quorum was present, on a motion by Mr. Johnson to adjourn, the yeas and nays were demanded by Mr. Ward, resulting as follows:

*Yeas.*—Messrs. President, Hudgins, Bruce, Sommerlock, Berry, Johnson, and Orndorff—7.

*Nays.*—Messrs. Ward, Bond, Price, and Crout—4.

The Branch was declared adjourned until Monday afternoon at 5 o'clock.

By order,

W. H. COLE, *Clerk.*

October 11th, an ordinance to authorize the subscription of \$750,000 to the stock of the Maryland Central Railroad Company, in the State of Maryland, and a loan to pay such subscription.

October 16th, an ordinance to condemn and open West street, between Scott and Ridgely streets.

October 23d, an ordinance to pave and grade Mosher street, between Madison and Linden avenues.

The following resolutions were presented to the Mayor on the dates named:

September 22d, resolution authorizing John T. Ford to change the location of certain lamps.

September 22d, resolution extending the time for collecting the assessments of benefits for the construction of a sewer along Liberty street.

September 22d, resolution authorizing Mr. Holdefer to erect fenders or posts.

The following ordinances were presented on the dates named :

September 22d, an ordinance to condemn and open Gist street from Baltimore to Monument street.

September 22d, an ordinance to continue and open Orleans street, from Chester to Patuxent street.

October 7th, an ordinance entitled " An ordinance to add an additional section to article 23 of the Baltimore City Code, entitled ' Health. ' "

October 7th, an ordinance to change the grade of Allen street, between Fort avenue and the Port Warden's line, or any intermediate part thereof.

October 10th, an ordinance supplementary to an ordinance entitled " An ordinance to authorize the closing of Gibson street, now Eutaw street, &c., approved July 15th, 1853. "

October 10th, an ordinance to change the grade of Allen street, between Fort avenue and the Port Warden's line, or any intermediate part thereof.

September 22d, resolution for the repair of pump on West Baltimore street.

September 22d, resolution for gas-mains on Republican street.

September 22d, resolution appropriating \$5,000 for the Knights Templar.

September 22d, resolution for gas-main in Spring court.

September 22d, resolution for flag-stones at the intersection of Mosher street and Linden avenue.

September 22d, resolution in favor of George Shower.

September 22d, resolution appropriating \$60 for the purchase of a flag for the Washington Monument.

September 22d, resolution repealing resolution No. 187 of 1864.

September 22, resolution authorizing the City Commissioner to have gutters laid across McHenry street and Calhoun street.

September 22, resolution appropriating \$300 for the improvement of Battery Square.

October 5th, resolution appropriating \$300 for the removal of earth in the bed of Hughes street.

October 5th, resolution authorizing Wm. S. Redgrave to sink a well.

October 5th, resolution for gas-mains and lamps on Eutaw Place.

October 5th, resolution for the repair of pump at the northwest corner of Sharp and Hill streets.

October 5th, resolution authorizing Philip Bunn to sink a well at the corner of Howard street and Welcome alley.

October 5th, resolution authorizing the payment of \$1,000 to the widow of the late John H. Richards.

October 7th, resolution to remove old pump-stocks in front of premises number 172 and 174 Lexington street, and in front of No. 238 North Howard street.

October 7th, resolution authorizing Christopher & Co. to lay a two-inch pipe under the bed of Pratt street.

October 10th, resolution for the removal of old pump-stocks at the corner of Fayette and Amity streets, and also on Howard street.

October 11th, resolution for gas lamps on Presstman street, &c.

October 11th, resolution for gas-mains on Johnston street.



October 11th, resolution to place gas lamps at sundry places on Register street.

October 11th, resolution for iron plates at the intersection of Light and Fort streets.

October 11th, resolution for flagging at the intersection of Broadway and Baltimore street.

October 11th, resolution authorizing the invitation of the Cumberland authorities to the city of Baltimore.

October 11th, resolution authorizing Joshua Parks to extend his back building in rear of No. 363 Cathedral street.

October 12th, resolution appropriating \$100,000 for the relief of the sufferers in Chicago.

October 12th, resolution of sympathy for the Chicago sufferers.

October 13th, resolution authorizing the refunding to the vestry of St. Bartholomew's Church \$605.79.

October 13th, resolution authorizing James Gallagher. erect a livery, hiring and sales stable on Howard street.

October 14th, resolution to pay Theo. R. Remmey \$379.50 for killing dogs.

October 14th, resolution appropriating \$3,500 for the construction of a sewer along the bed of Mulberry street.

October 14th, resolution to pay Priscilla E. Chappelle \$4.38 discount on personal taxes.

October 14th, resolution appropriating \$20,700 for the Fire Department of the City of Baltimore.

October 14th, resolution appropriating \$800 for the erection of certain fire alarm boxes.

October 14th, resolution appropriating \$140 to whitewash the Hanover Market-house.

October 14th, resolution for gas-mains on Garden and Richmond streets.

October 14th, resolution for a gas lamp on the south side of Frederick avenue.

October 14th, resolution authorizing Dr. F. T. Cherry to erect a livery stable on German street.

October 17th, resolution to remove railway track on Howard street, between Lombard and Baltimore streets.

October 17th, resolution authorizing the Pacific and Atlantic Telegraph Company to rebuild their lines.

October 17th, resolution appropriating \$10,000 for the completion and equipment of the new city ice-boat.

October 17th, resolution abating assessment on Jefferson Street M. E. Church for opening Chester street.

October 23d, resolution to whitewash Cross Street Market-house.

### APPROPRIATIONS.

Amount heretofore stated.....	\$274,753 83
Reporters of Sun, American, Gazette, and Evening Journal, (First Branch).....	400 00
Resolution in favor of Knights Templar.....	5,000 00
Resolution for flag for Washington Monument.....	60 00
Resolution in favor of Battery Square.....	300 00
Resolution for removal of earth in bed of Hughes street.....	300 00
Resolution in favor of the widow of John H. Richards.....	1,000 00
Resolution in favor of the Chicago sufferers....	100,000 00
Resolution in favor of the vestry of St. Bartholomew's Church.....	605 79
Resolution in favor of Theo. R. Remmey (dog killer).....	379 50
Resolution for construction of a sewer in the bed of Mulberry street. ....	3,500 00
Resolution in favor of Priscilla E. Chappelle...	4 38
Resolution in favor of the Fire Department....	20,700 00
Resolution for the erection of certain fire alarm boxes.....	800 00

Resolution to whitewash the Hanover Market-house.....	140 00
Resolution for new ice-boat.....	10,000 00
Resolution for entertainment of Pittsburg, Wheeling and Cumberland authorities.....	20,000 00
Resolution appropriating money to whitewash Cross Street Market.....	30 00
Resolution to complete Western Female High School.....	1,000 00
Reporters of Sun, American, Gazette, German Correspondent, and Evening Journal, (Second Branch).....	500 00
Resolution in favor of Wm. Leach.....	9 15
Resolution to whitewash Belair Market.....	150 00
Resolution for National Commercial Convention, (additional).....	5,000 00
Resolution for new building for Clerk of Belair Market .....	1,200 00
Resolution for construction of Calhoun street sewer.....	7,000 00
Resolution to lower grade of Howard street, between Stockholm and Ostend streets.....	2,000 00
<b>Total to date:.....</b>	<b>\$454,832 65</b>

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Monday, October 23, 1871.

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The Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., President, and all the members except Mr. Sommerlock.

The President presented a petition from D. D. Mallory & Co. for the extension of the Port Warden's line at the foot of Washington street, which was read and referred to the Joint Standing Committee on Harbor.

Mr. Johnson offered the following resolution, which was read :

Resolved by the First Branch City Council of Baltimore, That the sum of three hundred dollars be allowed Dr. W. H. Cole, the Clerk of the Branch, for work done as Clerk to committees during the past year.

On motion of Mr. Johnson, the resolution was read a second time, by special order.

Mr. Mills offered the following amendment, which was read :

Add at the end of the resolution, " And that the sum of \$200 be allowed the Assistant Clerk for similar services, and that the sum of \$100 be allowed the Sergeant-at-Arms for additional compensation."

The question being on the resolution, as amended, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Freeberger, Johnson, Orndorff, and Crout—12.

*Nays*—Messrs. Bond, Berry, and Ehlers—3.

The resolution, as amended, was declared adopted.

On a motion by Mr. Ehlers to adjourn, the yeas and nays were demanded by Mr. Trippe, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Mills, Berry, Ehlers, and Orndorff—8.

*Nays*—Messrs. Trippe, Kernan, Ward, Torsch, Bond, Price, Freeberger, Johnson, and Crout.—9.

The Branch refused to adjourn.

Mr. Mills offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore,



That the City Commissioner be, and he is hereby, authorized and directed to place four feet of Hammond flagging across Aisquith street and Harford avenue where they converge, at the public fountain in front of the premises of M. J. Mehling.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Mills offered the following resolution, which was read :

Resolved by the Mayor and City Council of Baltimore, That the Water Engineer be, and he is hereby, directed to remove the old pump-stock at the corner of Broadway and Gay streets and to have the well properly secured, and that the City Commissioner be, and he is hereby, directed to have a gas lamp placed on the site of the same.

On motion of Mr. Mills, the resolution was read a second time, by special order, and adopted.

Mr. Freeberger called up the ordinance on page 1183 of the First Branch Journal, entitled "An ordinance to place and designate upon all the city lamps, put up or erected on or in the public avenues, streets, alleys, lanes, public squares, city springs, and public buildings, on or in which the said lamps stand," which was read.

Mr. Kernan, offered the following amendment, which was read :

Strike out the name of "T. J. Welby," and insert "the lowest bidder."

On a motion by Mr. Crout to lay the amendment on the table, the yeas and nays were demanded by Mr. Kernan, resulting as follows :

*Yeas*—Messrs. Kernan and Crout—2.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Bond, Price, Randall, Berry, Freeberger, Ehlers, Johnson, and Orndorff—16.

The Branch refused to lay the amendment on the table.

The question being on the passage of the amendment, the yeas and nays were demanded by Mr. Kernan, resulting as follows :

*Yeas*—Messrs. Kernan, Bond, Ehlers, Orndorff, and Crout—5.

*Nays*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Mills, Ward, Torsch, Price, Randall, Berry, Freeberger, and Johnson—13.

. The amendment was declared rejected.

Mr. Bond offered the following amendment, which was read :

Provided, however, that if any person shall erase or cause to be erased any letter or lettering already placed thereon, he shall forfeit and pay a fine of ten dollars for each offense, to be recovered as small debts.

The amendment was declared rejected.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :

*Yeas*—Messrs. Weitzell, Trippe, Bruce, Torsch, Price, Randall, Freeberger, and Johnson—8.

*Nays*—Messrs. President, Hudgins, Mills, Kernan, Ward, Bond, Berry, Ehlers, Orndorff, and Crout—10.

The ordinance was declared rejected.

On a motion by Mr. Weitzell to adjourn, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Bruce, Mills, Berry, Freeberger, Ehlers, and Orndorff—9.

*Nays*—Messrs. Trippe, Kernan, Ward, Torsch, Bond, Price, Randall, Johnson, and Crout—9.

The Branch refused to adjourn.

Mr. Johnson called up the ordinance known on the bill file as No. 45, entitled "An ordinance supplementary to an ordinance entitled 'An ordinance to provide for the improvement of Jones' Falls within the limits of the city of Baltimore, and to open avenues and to construct sewers on the borders thereof, approved January 30, 1870,'" which was read.

Mr. Berry called for the reading of the following communication from Henry Tyson, Esq., to the Joint Standing Committee on Jones' Falls, which was read :

*To the Committee on Jones' Falls Improvement :*

GENTLEMEN—I find it very difficult to draw the comparison you requested between the plan which has been adopted for the improvement of the channel of Jones' Falls, and the one presented by the examining commission, owing to the absence of any estimate in detail, specifications, description or working plans of the latter.

The Commissioners furnish simply a plan and outline section of the channel.

They also furnish a copy of the plan and section of the sewers on the west side of the falls, taken from the adopted plan.

They state in their report "that the arrangement of the details will devolve upon the constructing engineer charged with the execution of the plan. In fact," they say, "the report of the engineer is made general, so that a capable engineer, having the execution of the plan entrusted to him, shall not be trammelled in the working of its details." Upon this uncertain basis they estimate the cost of the work at \$2,750,000.

This estimate appears, from the engineer's report, to include the sewers of the adopted plan on the west side of the channel, but no sewer on the east side; thus bringing the comparison in cost, as between the plan heretofore adopted, divested of its avenues, and without the sewer on the east side, and the one presented by the examining commission, the estimated cost of the latter being \$2,750,000.

An examination of the estimate of the adopted plan, having an avenue on the west side, with sewers completed on both sides, will show a cost of \$2,400,000.

Deducting from this the cost of the sewer upon the east side of the Falls, \$125,000, we have \$2,275,000; and also deducting the estimate of land damage from both plans, we will have for the cost of executing the adopted plan, with sewers upon the west side, and an avenue from Second to Gay street (which is necessary to support that portion of the wall of the channel).....	\$2,275,000
Land damage.....	974,000
	<hr/>
	\$1,301,000

The estimated cost of plan proposed by the examining commission, less amount of land damage, which they represent as being assumed (being the estimate of Messrs. Blake, Bouldin and McNeal, for the curved line to which this plan nearly approximates), \$750,000.....	\$2,750,000
Land damage.....	750,000
	<hr/>
	\$2,000,000

Messrs. Craighill and Kneass state that the plan which has been adopted (I quote their words) will "serve to secure the city from further damage from floods from Jones' Falls." They also state "that the cost will not greatly exceed the estimate."

This estimate is as above stated.....	\$1,301,000
Commissioners' estimate.....	2,000,000
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Excess of Commissioners' estimate.....	\$699,000

The explanatory map accompanying the plan presented by the examining Commissioners is not only copied from the original map accompanying the adopted plan, but is a bracing made upon transparent muslin, copying the whole design except the sewer on the east side of the channel, and the deviation and elongation of the channel, which they propose between Madison and Fayette streets, or in other words, the lines of the channel they propose are placed within those of the adopted plan for nearly three-fourths of its entire length.



Having been employed by the Mayor and City Council of Baltimore to present to them a plan for the improvement of the channel of Jones' Falls, and this plan, as presented in complete detail, with working, drawings, and full specifications, having been recommended by your committee, and adopted by that honorable body, and ample appropriation made for its execution, I am unwilling now, as it has been endorsed by the best engineering talent that your committee and examining commission have been able to select; that it should fail to be carried out, either through improper representations made by jealous rivals in my profession, and by the mercenary manufacturers and venders of what is erroneously termed public opinion, or fear on the part of the community (produced by these statements), that its cost will be greatly in excess of my estimates.

I deem it my duty to make to you, and through you to the Mayor and City Council of Baltimore, the following proposition :

That if, after due advertisement, inviting proposals for the execution of this work, satisfactory arrangements cannot be made with responsible contractors, reluctant as I should be to make the necessary sacrifices, I will be ready to enter into an agreement to execute for them, under the superintendence of any engineer who may be mutually agreed upon, according to the drawings and specifications of the adopted plan, the entire improvement, omitting the avenues, except from Second to Gay street, but including the sewers on both sides of the channel, which I deem necessary, for the sum of \$1,600,000, this sum being \$400,000 less than the estimated cost of the work recommended by the Commissioners and their engineers, and including the sewer on the east side and avenue from Second to Gay street, which they reject.

I would undertake to complete the sewers on the west side by the 1st of October, 1872, and the remainder of the work in eighteen months after being placed in possession of the property upon which the avenue and channel are to be constructed.

Should the completion of the avenues, to extend on both

sides of the improvement from the Basin to Eager street, be desired, it can be done at any time without interfering with other portions of the work.

Very respectfully,

HENRY TYSON.

BALTIMORE, October 9, 1871.

Mr. Crout offered the following amendment to the ordinance, which was read.

In section 2, after the word "shall," in third line, strike out all to the word "dollars," in fourth line, and insert the words "shall serve without compensation."

The question being on the adoption of the amendment, the yeas and nays were demanded by Mr. Crout, resulting as follows :

*Yeas*—Messrs. President, Hudgins, Mills, Randall, Freeberger, Ehlers, Orndorff, and Crout—8.

*Nays*—Messrs. Weitzell, Trippe, Bruce, Kernan, Ward, Torsch, Bond, Price, Berry, and Johnson—10.

The amendment was declared rejected.

Mr. Trippe offered the following amendment, to come in as section No. 26 of the ordinance, which was read and adopted :

"SEC. 26. And be it further enacted and ordained, That this ordinance shall take effect from and after the date of its passage."

On a motion by Mr. Kernan that the vote by which the 11th section was adopted be reconsidered, the yeas and nays were requested by the President, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Price, Randall, Berry, Freeberger, Ehlers, Johnson, and Orndorff—17.

*Nays*—Messrs. Bond and Crout—2.

The 11th section was reconsidered.

Mr. Kernan offered the following amendment, which was read :

Section 11, line 19, after the word "bidder" add "the said bidder (or contractor) to be a resident of the city of Baltimore or State of Maryland for (at least) one year previous to bidding for any of the said work."

The question being on the adoption of the amendment, the yeas and nays were demanded by Mr. Bond, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Mills, Kernan, Ward, Torsch, Price, Berry, Freeberger, Ehlers, Johnson, and Orndorff—16.

*Nays*—Messrs. Bond, Randall, and Crout—3.

The amendment was declared adopted.

The question recurring on the passage of the ordinance, the yeas and nays were demanded by Mr. Ehlers, resulting as follows :

*Yeas*—Messrs. Hudgins, Trippe, Smyrk, Kernan, Ward, Torsch, Bond, Price, Randall, Berry, Johnson, and Crout—12.

*Nays*—Messrs. President, Weitzell, Bruce, Mills, Freeberger, Ehlers, and Orndorff—7.

The ordinance was declared passed, and title approved.

On motion of Mr. Kernan, the Branch adjourned until to-morrow afternoon at 5 o'clock.

By order.

W. H. COLE, *Clerk*.

Tuesday, October 24, 1871.

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Branch met pursuant to adjournment.

Present—GEORGE W. BISHOP, Esq., President, and all the members except Messrs. Mills and Ward.

On a motion by Mr. Berry to adjourn the yeas and nays were demanded by Mr. Bruce, resulting as follows :

*Yeas*—Messrs. President, Berry, Freeberger, Ehlers Orndorff, and Crout—6.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Kernan, Torsch, Bond, Price, Sommerlock, and Johnson—10.

The Branch refused to adjourn.

Col. William Robertson, Secretary to the Mayoralty, appeared at the bar of this Branch with a message from His Honor the Mayor.

The President presented the following communication, from His Honor the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, October 23d, 1871.

*To the Honorable the President and Members  
of the First Branch of the City Council :*

GENTLEMEN :—

I have the honor to inform you that the following named ordinances and resolutions, which originated in your Branch, have been duly signed by me and placed on file in the office of the City Register, according to law :

An ordinance to condemn and open Gist street, from Baltimore to Monument street; approved September 30, 1871.

An ordinance to condemn and open Orleans street, from Chester street to Patuxent street; approved September 30, 1871.



An ordinance to change the grade of Allen street, between Fort avenue and the Port Warden's line, or any intermediate part thereof; approved October 7, 1871.

An ordinance, entitled "An ordinance to add an additional section to article twenty-three, of the Baltimore City Code, entitled 'Health ;'" approved October 7, 1871.

An ordinance supplementary to an ordinance entitled "An ordinance to authorize the closing of Gibson street, now Eutaw street, and to open and continue said Eutaw street, &c., approved July 15, 1853 ;" approved October 10, 1871.

An ordinance to change the grade of Allen street, between Fort avenue and the Port Warden's line, or any intermediate part thereof; approved October 10, 1871.

An ordinance to authorize the subscription of seven hundred and fifty thousand dollars to the stock of the Maryland Central Railroad Company, in the State of Maryland, and a loan to pay such subscriptions; approved October 16, 1871.

An ordinance to grade and pave Mosher street, between Madison and Linden avenues; approved October 23, 1871.

An ordinance to condemn and open West street, between Scott street and Ridgeley street; approved October 20, 1871.

Resolution authorizing John Holdefer to erect fenders or posts; approved September 30, 1871.

Resolution repealing resolution, number one hundred and eighty-seven, of eighteen hundred and sixty-four; approved September 30, 1871.

Resolution appropriating sixty dollars for the purchase of a flag for the Washington Monument; approved September 30, 1871.

Resolution for flag-stones at the intersection of Mosher street and Linden avenue; approved September 30, 1871.

Resolution authorizing the City Commissioner to have gutters laid across McHenry street and Calhoun street; approved September 30, 1871.

Resolution appropriating three hundred dollars for the improvement of Battery Square ; approved September 30, 1871.

Resolution appropriating five thousand dollars for the Knights Templar ; approved September 30, 1871.

Resolution for gas-main in Spring court ; approved September 30, 1871.

Resolution extending the time for collecting the assessments of benefits for the construction of a sewer along Liberty street ; approved September 30, 1871.

Resolution authorizing John T. Ford to change the location of certain lamps ; approved September 30, 1871.

Resolution in favor of George Shower ; approved September 30, 1871.

Resolution for gas-mains on Republican street ; approved September 30, 1871.

Resolution for the repair of pump on West Baltimore street ; approved September 30, 1871.

Resolution authorizing Messrs. Baker, Bros. & Co., to extend two platform piers into the harbor ; become operative by expiration of the five day's limitation ; September 30, 1871.

Resolution authorizing Thomas Rutter to retain certain buildings on Division street ; become operative by expiration of the five day's limitation ; September 30, 1871.

Resolution authorizing William G. Redgrave to sink a well ; approved October 5, 1871.

Resolution appropriating three hundred dollars for the removal of the earth in the bed of Hnghes street ; approved October 5, 1871.

Resolution for gas-mains and gas lamps on Eutaw place ; approved October 5, 1871.

Resolution for the repair of pump at the northwest corner of Sharp and Hill streets ; approved October 5, 1871

Resolution authorizing Philip Bunn to sink a well at the corner of Howard street and Welcome alley; approved October 5, 1871.

Resolution authorizing the payment of one thousand dollars to the widow of the late John H. Richards; approved October 5, 1871.

Resolution to remove old pump-stocks in front of premises number one hundred and seventy-two, and one hundred and seventy-four Lexington street, and in front of number two hundred and thirty-eight north Howard street; approved October 7, 1871.

Resolution authorizing Christopher & Company to lay a two-inch pipe under the bed of Pratt street; approved October 7, 1871.

Resolution for the removal of old pump-stocks at the corner of Fayette and Amity streets, and also on Howard street; approved October 7, 1871.

Resolution for gas lamps on Presstman street, &c.; approved October 11, 1871.

Resolution for gas-mains on Johnson street; approved October 11, 1871.

Resolution to place gas lamps at sundry places on Register street; approved October 11, 1871.

Resolution authorizing Joshua Parks to extend his back building in rear of No. 363 Cathedral street; approved October 11, 1871.

Resolution for iron plates at the intersection of Light and Fort streets; approved October 11, 1871.

Resolution for flagging at the intersection of Broadway and Baltimore street; approved October 11, 1871.

Resolution authorizing the invitation of the Cumberland authorities to the City of Baltimore; approved October 11, 1871.

Resolution authorizing James Gallagher to erect a livery, hiring and sales stable on Howard street; approved October 14, 1871.

Resolution of sympathy for the Chicago sufferers ; approved October 14, 1871.

Resolution refunding to the Vestry of St. Bartholomew's Church six hundred and five dollars and seventy-nine cents ; approved October 14, 1871.

Resolution appropriating one hundred thousand dollars for the relief of the sufferers of Chicago ; approved October 14, 1871.

Resolution to pay Priscilla E. Chappelle four dollars and thirty-eight cents, discount on personal taxes ; approved October 14, 1871.

Resolution appropriating twenty thousand seven hundred dollars for the Fire Department of the city of Baltimore ; approved October 14, 1871.

Resolution appropriating eight hundred dollars for the erection of certain fire alarm boxes ; approved October 14, 1871.

Resolution appropriating one hundred and forty dollars to whitewash the Hanover Market-house ; approved October 14, 1871.

Resolution authorizing Dr. F. S. Cherry to erect a livery stable on German street ; approved October 14, 1871.

Resolution for a gas lamp on the south side of Frederick avenue ; approved October 14, 1871.

Resolution for gas-mains on Garden and Richmond streets ; approved October 14, 1871.

Resolution appropriating ten thousand dollars for the completion and equipment of the new city ice-boat ; approved October 17, 1871.

Resolution abating the assessment on the trustees of the Jefferson Methodist Episcopal Church for the opening of Chester street ; approved October 17, 1871.

Resolution to pay Theodore R. Remmey three hundred and seventy-nine dollars and fifty cents for killing dogs ; approved October 17, 1871.



Resolution appropriating thirty-five hundred dollars for the construction of a sewer along the bed of Mulberry street; approved October 14, 1871.

Resolution authorizing the Pacific and Atlantic Telegraph Company to rebuild their lines; approved October 20, 1871.

Resolution authorizing the City Commissioner to have removed the railway track on Howard street, between Lombard and Baltimore streets; approved October 20, 1871.

Resolution appropriating thirty dollars to whitewash the Cross Street Market-house; approved October 22, 1871.

Respectfully,

ROBERT T. BANKS, Mayor.

The President presented the following communication with accompany ordinance from His Honor the Mayor, which was read :

MAYOR'S OFFICE, CITY HALL,  
Baltimore, Oct 24, 1871.

*To the Honorable the Members of the*

*First and Second Branches of the City Council:*

GENTLEMEN :—

The LaFayette market-house is ready for use, its stalls having been sold. It has only, within the last day or two, been called to my attention that there is no ordinance prescribing its limits, fixing the days upon which sales are to be held therein, and providing for the appointment of a clerk, or market-master for the same. I beg, therefore, to enclose an ordinance for those purposes, and to recommend its adoption this evening if possible.

Respectfully,

ROBERT T. BANKS, Mayor.

An ordinance to establish the limits of Lafayette Market, and to regulate the same, and to appoint a clerk thereof.

SECTION 1. Be it enacted and ordained by the Mayor and

City Council of Baltimore, That the limits of the Lafayette Market shall be as follows: Beginning at Pennsylvania avenue on the line of the curbstone on the north side of Cook street, and running thence on the line of said curbstone to Fremont street, and from the curbstone on the line of the south side of Cook street along the southern curb of said street, from Fremont street to Pennsylvania avenue.

SEC. 2. And be it enacted and ordained, That there shall be appointed a clerk of said market whose compensation shall be \$        per annum, and whose powers and duties shall be the same as those of the clerk of the Lexington Market.

SEC. 3. And be it enacted and ordained, That before the said clerk shall take upon himself the execution of the trust reposed in him by this ordinance he shall give bond with security, to be approved by the Mayor, to the Mayor and City Council of Baltimore, in the sum of        dollars, conditioned for the faithful performance of the duties imposed upon him by this or any other or subsequent ordinance, and that he will render to the Mayor on the first Monday of every month a just and true account of all moneys he may from time to time receive in virtue of his office, and that he will pay the same to the Register for the use of the city.

SEC. 4. And be it enacted and ordained, That the market days at the said market shall be Wednesday and Saturday mornings and Saturday evening, and that the market hours shall be the same as now provided by ordinance for the Lexington Market.

SEC. 5. And be it enacted that the regulations heretofore provided for the government of the Lexington Market, except in so far as they are inconsistent with this ordinance, shall apply to the Lafayette Market.

Mr. Torsch offered the following resolution which was read :

Resolved by the First Branch City Council of Baltimore, That the City Commissioner be, and he is hereby, requested to inquire into the expediency of opening Baltimore street from Harrison street through the several streets and blocks

of buildings in a straight line until it strikes East Lombard street, near Canal street, which will make it a direct line from the west to the east end of the city, and one of the most beautiful and valuable avenues in the city, the same to be reported to the incoming Council.

The question being on the adoption of the resolution, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Torsch, Bond, Price, Sommerlock, Berry, Freeberger, Ehlers, Johnson, Orndorff, and Crout—17.

*Nays*—Mr. Randall—1.

The resolution was declared adopted.

On a motion by Mr. Crout to adjourn, the yeas and nays were demanded by Mr. Johnson, resulting as follows :

*Yeas*—Messrs. President, Berry, Freeberger, Ehlers, Orndorff, and Crout—6.

*Nays*—Messrs. Weitzell, Hudgins, Trippe, Bruce, Smyrk, Kernan, Torsch, Bond, Price, Sommerlock, Randall, and Johnson—12.

The Branch refused to adjourn.

Mr. Trippe offered the following resolution, which was read :

Resolved by the First Branch City Council of Baltimore, That the thanks of the Branch be returned to George W. Bishop, Esq., President of the Branch for the able and impartial manner in which he has discharged the several duties devolving on him as the Presiding officer of the Branch.

The resolution was unanimously adopted.

After a few words of thanks from George W. Bishop, Esq., President, on motion of Mr. Freeberger, the Branch adjourned *sine die*.

By order,

W. H. COLE, *Clerk*.





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# INDEX

TO THE

JOURNAL OF THE FIRST BRANCH CITY COUNCIL

OF

BALTIMORE, MD.

*1870--'71.*

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# INDEX TO THE JOURNAL

OF THE

## First Branch of the City Council of Baltimore.

1870-'71.

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